

Australian Securities and Investment Commission
ASIC Market Integrity Rules (Competition in Exchange Markets) 2011 –
Rule 1.2.1(1)
Class Rule Waiver

Enabling Provision

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under Rule 1.2.1(1) of the *ASIC Market Integrity Rules (Competition in Exchange Markets) 2011 (Competition Rules)*.

Title

2. This instrument is ASIC Class Rule Waiver [CW 13-1073].

Commencement

3. This instrument commences on the date it is registered under the *Legislative Instruments Act 2003*.

Note: An instrument is registered when it is recorded on the Federal Register of Legislative Instruments (*FRLI*) in electronic form: see *Legislative Instruments Act 2003*, section 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

Waiver

4. ASIC relieves a Participant from the obligation to comply with Rule 4A.3.2(1)(a) of the Competition Rules, subject to the condition in paragraph 9 of this instrument.
5. ASIC relieves a Participant from the obligation to comply with subrule 4A.3.2(2), subject to the condition in paragraph 10 of this instrument.
6. ASIC relieves a Participant from the obligation to comply with subrule 4A.5.1 of the Competition Rules.

Period during which this waiver applies

7. The relief in paragraphs 4 and 5 of this instrument apply from the date this instrument commences under paragraph 3.
8. The relief in paragraph 6 of this instrument applies from the date this instrument commences under paragraph 3 until the end of 9 May 2014.

Condition of waiver in paragraph 4

9. The relief in paragraph 4 of this instrument is subject to the condition that a Participant that operates a Crossing System must, prior to accepting an Order from a client for the first time which may be matched on the Participant's Crossing System, provide the client with a copy of the Publicly Available Crossing System Information or inform the client of the website address where that information is available.

Condition of waiver in paragraph 5

10. The relief in paragraph 5 of this instrument is subject to the condition that the Participant must:
- (a) prior to accepting an Order from a client for the first time which may be matched on the Participant's Crossing System; and
 - (b) prior to accepting an Order from a client which may be matched on the Participant's Crossing System after the Non-Public Crossing System Information has been updated under subrule 4A.3.2(3),

provide that client with a document containing the Non-Public Crossing System Information, in relation to that Crossing System.

Interpretation

11. In this instrument, unless the contrary intention appears, capitalised terms have the meaning given by the Competition Rules.

Dated this 6th day of November 2013

Signed by Bronwyn Hill

As a delegate of the Australian Securities and Investments Commission