

Australian Securities and Investments Commission
Corporations Act 2001 — Subsections 341(1), 601QA(1), 741(1) and 1020F(1) —
Variations and Revocations

Enabling legislation

1. The Australian Securities and Investments Commission makes the variations and effects the revocations set out in this instrument under subsections 341(1), 601QA(1), 741(1) and 1020F(1) of the *Corporations Act 2001*.

Title

2. This instrument is ASIC Class Order [CO 05/641].

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*, s 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

Variations

ASIC Class Order [CO 98/100]

4. ASIC Class Order [CO 98/100] is varied by, under the heading “Prescribed amounts”:
 - (a) in the paragraph beginning “\$1,000,” (first occurring):
 - (i) omitting subparagraph (vii) and substituting:

“(vii) details, values and aggregates required to be disclosed in the directors’ report under paragraphs 300(1)(d) and (g), subsections 300(8), (9), (11), (11B), (11C) and (12), and paragraphs 300(13)(a) and 300A(1)(c) and (1)(e) of the Act;
 - (viiia) information disclosed in accordance with regulation 2M.6.04 and Schedule 5B of the *Corporations Regulations 2001*;”;
 - (ii) in subparagraph (viii) omitting “Entities”, and substituting “Entities”;”; and

- (iii) after subparagraph (viii) adding:
 - “(ix) amounts required to be disclosed under paragraphs 44, 46 and 51 of accounting standard AASB 2 “Share-based Payment”;
 - (x) remuneration of auditors required to be disclosed under paragraphs Aus 126.1 and 126.2 of accounting standard AASB 101 “Presentation of Financial Statements”;
 - (xi) compensation to key management personnel required to be disclosed under paragraph 16 of AASB 124; and
 - (xii) transactions between related parties required to be disclosed under paragraphs 17, 18 and Aus 18.1 of AASB 124.”;
- (b) in the paragraph beginning “one tenth” omitting “Share”,” and substituting “Share” and paragraphs 66 to 69 of accounting standard AASB 133 “Earnings per Share”,”; and
- (c) in the paragraph beginning “\$1,” omitting “paragraphs (i) to (viii)” and substituting “paragraphs (i) to (xii)”.

ASIC Class Order [CO 98/1416]

5. ASIC Class Order [CO 98/1416] is varied by:

- (a) in the heading omitting “**Corporations Law**” and substituting “**Corporations Act 2001**”;
- (b) in the introductory words:
 - (i) omitting “Corporations Law (“the Law”),” and substituting “*Corporations Act 2001* (“the Act”)”;
 - (ii) omitting “s296(1) and s304 of the Law” and substituting “subsection 296(1) and section 304 of the Act”; and
 - (iii) after “financial year” (first occurring) inserting “beginning before 1 January 2005”; and
- (c) omitting subparagraph (a)(i) and substituting:
 - “(i) The Entity was not subject to any provision of the Act (whether or not presently in force) requiring it to prepare a financial report or accounts in respect of the immediately preceding half-year or the immediately preceding financial year, as applicable (whether by operation of a provision of the Act, the *Corporations Regulations 2001* or an ASIC Class Order); and”.

ASIC Class Order [CO 98/2395]

6. ASIC Class Order [CO 98/2395] is varied by:
- (a) in the heading omitting “**Corporations Law**” and substituting “**Corporations Act 2001**”;
 - (b) in the first paragraph:
 - (i) in the introductory words:
 - (A) omitting “Corporations Law (“the Law”),” and substituting “*Corporations Act 2001* (“the Act”)”;
 - (B) omitting “s299, s300, s300A and s306 of the Law” and substituting “paragraph 298(1)(c), subsection 298(1A), sections 299 to 300 (other than subsections 300(11B) and (11C)) and section 306 of the Act”; and
 - (C) omitting “s300(2)” and substituting “subsection 300(2) of the Act”;
 - (ii) in subparagraph (a)(ii) omitting “s299” and substituting “paragraph 298(1)(c), subsection 298(1A), sections 299 and 299A and both of the subsections numbered 306(2) of the Act”;
 - (iii) in subparagraph (d) omitting “s319 or s320 of the Law” and substituting “section 319 or 320 of the Act”; and
 - (iv) omitting subparagraph (f) and substituting:
 - “(f) any of the Excluded Information otherwise required by paragraph 298(1)(c), subsection 298(1A) or sections 299 or 299A of the Act is included in any concise report for the purposes of section 314 of the Act and is lodged with ASIC under section 319 of the Act.”.

ASIC Class Order [CO 01/1455]

7. ASIC Class Order [CO 01/1455] is varied by omitting all the text after “than” and substituting “ASIC Class Orders [CO 98/100], [CO 98/101], [CO 98/104], [98/105], [CO 98/107], [CO 98/110], [CO 98/1416], [CO 98/1867], [CO 98/1868], [CO 98/1869], [CO 98/1999], [CO 98/2000], [CO 98/2001], [CO 98/2395], [CO 99/90], [CO 00/2449], [CO 05/83], [CO 05/637] or [CO 05/640)]”.

ASIC Class Order [CO 04/672]

8. ASIC Class Order [CO 04/672] is varied by omitting all the text after “than” and substituting “ASIC Class Orders [CO 98/100], [CO 98/101], [CO 98/104], [CO 98/105], [CO 98/107], [CO 98/110], [CO 98/1416], [CO 98/1867], [CO 98/1868], [CO 98/1869], [CO 98/1999], [CO 98/2000], [CO 98/2001], [CO

98/2395], [CO 99/90], [CO 00/2449], [CO 05/83], [CO 05/637] or [CO 05/640])”.”.

ASIC Class Order [CO 04/1575]

9. ASIC Class Order [CO 04/1575] is varied by in paragraph 3 (notional subsection 601GC(1A)):
 - (a) in the introductory words omitting “both” and substituting “all”; and
 - (b) in paragraph (b) omitting “subparagraphs (a)(i)(A) to (E),” and substituting “subparagraphs (a)(i) to (v),”.

Revocations

10. ASIC Class Orders [CO 98/109] and [CO 98/111] are revoked.

Dated this 26th day of July 2005

Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments Commission