

**Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 341(1) — Amendment**

Enabling legislation

1. The Australian Securities and Investments Commission makes this instrument under subsection 341(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Class Order [CO 13/1644].

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/>.

Amendment

4. ASIC Class Order [CO 13/1050] is amended as follows:
 - (a) omit subparagraphs 4(a) and (b), substitute:
 - “(a) subsection 292(1) and subsection 314(1) of the Act in relation to a financial year (the *relevant year*); and
 - (b) section 302 of the Act in relation to a half-year (the *relevant half-year*),”;
 - (b) omit subparagraph 5(a), substitute:
 - “(a) one of the following applies:
 - (i) the relevant entity prepared a financial report under Chapter 2M of the Act for the previous reporting period that contained consolidated financial statements or combined financial statements that included the other group members;
 - (ii) since the time that the stapled group included the relevant entity and the other group members, the relevant entity has not prepared a financial report under Chapter 2M of the Act other than the relevant entity report,”;
 - (c) in subparagraph 5(b):
 - (i) omit “whichever was presented for the reporting period ended 31 December 2012”, substitute “whichever was presented for the previous reporting period if sub-subparagraph 5(a)(i) applies or consolidated financial statements if sub-subparagraph 5(a)(ii) applies”; and

- (ii) omit “were included in the financial report for the reporting period ended 31 December 2012” (wherever occurring), substitute “are included”;
- (d) in subparagraph (5)(d), omit “Act.”, substitute “Act.”;
- (e) after subparagraph (5)(d), insert:
 - “(e) the relevant entity report discloses whether the financial statements presented in accordance with this instrument are consolidated financial statements or combined financial statements;
 - (f) the relevant entity report discloses the amounts attributed to non-controlling interests which are attributable to the holders of stapled securities.”;
- (f) in paragraph 8, insert the following definitions in alphabetical order:

“**non-controlling interest** has the same meaning as in accounting standard AASB 10 *Consolidated Financial Statements*.

previous reporting period means:

 - (a) in relation to a relevant year, the half-year forming part of the relevant year; and
 - (b) in relation to a relevant half-year, the financial year ending immediately before the relevant half-year.

stapled security means a security of a stapled issuer which under the terms on which it is traded on a prescribed financial market, must be transferred together with a security of one or more other entities.”.

Dated this 20th day of December 2013

Signed by Stephen Yen PSM
as a delegate of the Australian Securities and Investments Commission