



Register of ASX Listing Rule Waivers

16 to 31 January 2008

The purpose of this register is to record when ASX has exercised its discretion and granted a waiver from the ASX Listing rules. Waivers are published bi-monthly and include information such as:

- Organisation**
- Rule Number**
- Decision Details**
- Basis for Decision**

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Rule Number	4.2A
Date	31/01/2008
ASX Code	AVM
Listed Company	ANVIL MINING LIMITED
Waiver Number	WLC080042-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Anvil Mining Limited (the "Company") a waiver from the following listing rules.</p> <ol style="list-style-type: none"> Listing rules 4.2A and 4.2B to the extent necessary to permit the Company not to lodge an Appendix 4D - Half Year Report for each half year on condition that the Company lodges with ASX the half-year financial statements and interim Management's Decision and Analysis ("MD&A") that the Company is required to lodge with the Canadian securities regulatory authorities in accordance with its obligations under the TSX Company Manual, the Securities Act (Ontario) and other relevant Provincial securities acts ("Canadian Reporting Requirements") at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.. The waiver in resolution 1 is granted on the condition that the terms of the waiver are immediately announced to the market.
Basis For Decision	<p>Underlying Policy Half year report - information substantially similar to Corporations Act requirements for listed Australian entities - information in prescribed format - prescribed format intended to facilitate ready understanding of information and comparison of information provided by different entities.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on the TSX - Company's operations are based outside Australia - listing rule would require company to lodge Appendix 4D and half-year report with ASX within 2 months of end of half year accounting period - Canadian reporting requirements require the lodgement of half-year financial statements and interim management discussion and analysis within 45 days of the half year - more detailed and onerous reporting required under Canadian legislation - shareholders will receive half-year reports 17 days earlier than under the ASX listing rules - shareholders unlikely to be adversely affected by a waiver - no additional benefit gained by the preparation of an Appendix 4D - waiver granted.</p>

Rule Number	4.2B
Date	31/01/2008
ASX Code	AVM
Listed Company	ANVIL MINING LIMITED
Waiver Number	WLC080042-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Anvil Mining Limited (the "Company") a waiver from the following listing rules.</p> <p>1. Listing rules 4.2A and 4.2B to the extent necessary to permit the Company not to lodge an Appendix 4D - Half Year Report for each half year on condition that the Company lodges with ASX the half-year financial statements and interim Management's Decision and Analysis ("MD&A") that the Company is required to lodge with the Canadian securities regulatory authorities in accordance with its obligations under the TSX Company Manual, the Securities Act (Ontario) and other relevant Provincial securities acts ("Canadian Reporting Requirements") at the same time that the Company lodges those documents with those Canadian securities regulatory authorities..</p> <p>2. The waiver in resolution 1 is granted on the condition that the terms of the waiver are immediately announced to the market.</p>
Basis For Decision	<p>Underlying Policy Half year report - information substantially similar to Corporations Act requirements for listed Australian entities - information in prescribed format - prescribed format intended to facilitate ready understanding of information and comparison of information provided by different entities.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on the TSX - Company's operations are based outside Australia - listing rule would require company to lodge Appendix 4D and half-year report with ASX within 2 months of end of half year accounting period - Canadian reporting requirements require the lodgement of half-year financial statements and interim management discussion and analysis within 45 days of the half year - more detailed and onerous reporting required under Canadian legislation - shareholders will receive half-year reports 17 days earlier than under the ASX listing rules - shareholders unlikely to be adversely affected by a waiver - no additional benefit gained by the preparation of an Appendix 4D - waiver granted.</p>

Rule Number	4.3A
Date	31/01/2008
ASX Code	AVM
Listed Company	ANVIL MINING LIMITED
Waiver Number	WLC080042-003
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Anvil Mining Limited (the "Company") a waiver from the following listing rules.</p> <ol style="list-style-type: none"> 1. Listing rules 4.3A and 4.3B to the extent necessary to permit the Company not to lodge an Appendix 4E - Preliminary Final Report for each year on condition that the Company lodges with ASX the annual Financial Statements and annual MD&A that the Company is required to lodge with the Canadian securities regulatory authorities in accordance with Canadian Reporting Requirements at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.. 2. The waiver in resolution 1 is granted on the condition that the terms of the waiver are immediately announced to the market.
Basis For Decision	<p>Underlying Policy Preliminary final report - enhances continuous disclosure regime by requiring disclosure of summary full year financial information in advance of full annual report - information in prescribed format - prescribed format intended to facilitate ready understanding of information and comparison of information provided by different entities.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on the TSX - Company's operations are based outside Australia - volume of trading on ASX is much smaller than volume of trading on TSX - Canadian reporting requirements require the lodgement of preliminary final report equivalent within 90 days of year end -listing rules require lodgement within 2 months of year end - Company prepares its report in accordance with Canadian accounting standards - the majority of Company shareholders will rely on the Canadian accounts - considerable cost and inconvenience in preparing accounts to comply with ASX requirements, and to meet the earlier deadline under ASX listing rule, outweighing the benefit derived by the relatively small Australian shareholder base - under waiver, Company will have up to 90 days after year end within which to lodge financial information equivalent to the preliminary final report under listing rules - extension of approximately 1 month - Company considered to satisfy criteria for relief outlined in Guidance Note 4, in relation to this particular obligation.</p>

Rule Number	4.3B
Date	31/01/2008
ASX Code	AVM
Listed Company	ANVIL MINING LIMITED
Waiver Number	WLC080042-004
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Anvil Mining Limited (the "Company") a waiver from the following listing rules.</p> <ol style="list-style-type: none"> 1. Listing rules 4.3A and 4.3B to the extent necessary to permit the Company not to lodge an Appendix 4E - Preliminary Final Report for each year on condition that the Company lodges with ASX the annual Financial Statements and annual MD&A that the Company is required to lodge with the Canadian securities regulatory authorities in accordance with Canadian Reporting Requirements at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.. 2. The waiver in resolution 1 is granted on the condition that the terms of the waiver are immediately announced to the market.
Basis For Decision	<p>Underlying Policy Preliminary final report - enhances continuous disclosure regime by requiring disclosure of summary full year financial information in advance of full annual report - information in prescribed format - prescribed format intended to facilitate ready understanding of information and comparison of information provided by different entities.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on the TSX - Company's operations are based outside Australia - volume of trading on ASX is much smaller than volume of trading on TSX - Canadian reporting requirements require the lodgement of preliminary final report equivalent within 90 days of year end -listing rules require lodgement within 2 months of year end - Company prepares its report in accordance with Canadian accounting standards - the majority of Company shareholders will rely on the Canadian accounts - considerable cost and inconvenience in preparing accounts to comply with ASX requirements, and to meet the earlier deadline under ASX listing rule, outweighing the benefit derived by the relatively small Australian shareholder base - under waiver, Company will have up to 90 days after year end within which to lodge financial information equivalent to the preliminary final report under listing rules - extension of approximately 1 month - Company considered to satisfy criteria for relief outlined in Guidance Note 4, in relation to this particular obligation.</p>

Rule Number	5.1
Date	31/01/2008
ASX Code	AVM
Listed Company	ANVIL MINING LIMITED
Waiver Number	WLC080042-005
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Anvil Mining Limited (the "Company") a waiver from the following listing rules.</p> <ol style="list-style-type: none"> 1. Listing rule 5.1 to the extent necessary to permit the Company not to lodge quarterly activities reports as required by the Listing Rules, on condition that the Company lodges with ASX the quarterly Financial Statements and interim MD&A that the Company is required to lodge with the Canadian securities regulatory authorities in accordance with Canadian Reporting Requirements at the same time that the Company lodges those documents with those Canadian securities regulatory authorities. . 2. The waiver in resolution 1 is granted on the condition that the terms of the waiver are immediately announced to the market.
Basis For Decision	<p>Underlying Policy Quarterly report - enhances continuous disclosure regime by requiring disclosure of mining production and exploration activities - quarterly report must be provided within one month of the end of each quarter.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on the TSX - Company's operations are based outside Australia - Company required to lodge quarterly reports under Canadian regulation and ASX listing rules - duplication of quarterly reports - Canadian quarterly reporting requirements more onerous (additional financial and comparative information provided in Canadian quarterly report), but give longer time frame after quarter end for lodgement - Canadian reports to be lodged within 45 days of the end of each quarter - ASX requires quarterly activities statement within 1 month of the end of each quarter - extension of approximately 15 days - Company considered to satisfy criteria for relief outlined in Guidance Note 4, in relation to this particular obligation - waiver granted.</p>

Rule Number	6.24
Date	18/01/2008
ASX Code	ORT
Listed Company	ORT LIMITED
Waiver Number	WLC080045-001
Decision	<p>Based solely on the information provided, Australian Securities Exchange Limited ("ASX") grants ORT Limited (the "Company") a waiver from listing rule 6.24 to the extent necessary to permit the Company not to send the notices required by paragraph 6.1 of Appendix 6A in relation to 30,863,546 quoted options (ORTO) exercisable at 4 cents each on or before 28 February 2008 and 31,070,781 quoted options (ORTOA) exercisable at 14 cents each on or before 28 February 2008, on the following conditions.</p> <p>1. The information required by paragraph 6.1 of Appendix 6A is provided to the Company Announcements Office no later than 31 January 2008 together with a statement that an option expiry notice will not be sent to option holders.</p> <p>2. If the market price of the Company's ordinary shares exceeds 3 cents before 19 September 2006 the Company immediately sends an option expiry notice to option holders.</p>
Basis For Decision	<p>Underlying Policy Entity must send notice to holder of quoted options at least 20 business days before conversion or expiry date of options - provides option holder with basis for informed decision to exercise option.</p> <p>Present Application Likelihood of option holders exercising options too remote to justify cost of sending notices - waiver granted on condition that notice will be sent if substantial increase in trading price of securities.</p>

Rule Number	7.1
Date	25/01/2008
ASX Code	AWC
Listed Company	ALUMINA LIMITED
Waiver Number	WLC080041-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Alumina Limited (the "Company") a waiver from listing rule 7.1 to the extent necessary to permit the Company to issue ordinary shares, pursuant to an underwriting agreement, to an underwriter (including any sub-underwriters) of the Company's Dividend Reinvestment Plan ("DRP") for dividends declared for periods ending on or before 31 December 2008 without obtaining shareholder approval, on the following conditions.</p> <ol style="list-style-type: none"> 1. The underwriter or sub-underwriters are issued with ordinary shares within 15 business days of the dividend payment date. 2. Related parties and their associates do not act as underwriter or sub-underwriters to the DRP unless they obtain shareholder approval under listing rule 10.11. 3. The DRP does not contain a limit on security holder participation. 4. Any shares issued to the underwriter or any sub-underwriters will be issued at a price no lower than the price at which shares are issued under the DRP.
Basis For Decision	<p>Underlying Policy Dilution of holdings - approval of existing security holders required where further issues of securities will significantly dilute their holdings - practical operation is to provide greater protection to smaller holders against dilution - limit on securities that may be issued without security holder approval fixed at 15% of the ordinary securities on issue 12 months earlier.</p> <p>Present Application Exception 7, listing rule 7.2 permits issue of securities under dividend reinvestment plan approved by shareholders, excluding securities issued to underwriter - underwritten dividend reinvestment plan operates in similar manner to pro rata issue - waiver granted conditionally upon securities being issued within 15 business days to underwriter of dividend reinvestment plan and on the same terms as other securities issued under the dividend reinvestment plan, and underwriter not a related party.</p>

Rule Number	7.1
Date	31/01/2008
ASX Code	EQN
Listed Company	EQUINOX MINERALS LIMITED
Waiver Number	WLC080048-001
Decision	<p>1. Subject to resolution 2 and based solely on the information provided, ASX Limited ("ASX") grants Equinox Minerals Limited (the "Company") a waiver from listing rule 7.1 to permit the Company to issue securities without security holder approval, subject to the following conditions:</p> <p>1.1. The Company remains subject to, and complies with, the listing rules of the Toronto Stock Exchange ("TSX") with respect to the issue of new securities.</p> <p>1.2 The Company certifies to ASX on an annual basis (on or about 30 September each year) that it remains subject to, has complied with, and continues to comply with, the requirements of TSX with respect to the issue of new securities.</p> <p>1.3. If the Company becomes aware of any change to the application of TSX listing rules with respect to the issue of new securities, or that the Company is no longer in compliance with the requirements of TSX with respect to the issue of new securities, it must immediately advise ASX.</p> <p>2. Without limiting ASX's right to vary or revoke its decision under listing rule 18.3, ASX reserves the right to revoke the waiver in resolution 1 if:</p> <p>2.1 the Company fails to comply with any of the above conditions; or</p> <p>2.2 there are changes to the TSX listing rules in respect of the issue of new securities such that, in ASX's opinion, the regulation of the issue of new securities under those TSX listing rules ceases to be comparable to the regulation of the issue of new securities under the ASX listing rules.</p> <p>3. The waiver is granted on the condition that the terms of the waiver are immediately announced to the market.</p>
Basis For Decision	<p>Underlying Policy Dilution of holdings - approval of existing security holders required where further issues of securities will significantly dilute their holdings - practical operation is to provide greater protection to smaller holders against dilution - limit on securities that may be issued without security holder approval fixed at 15% of the ordinary securities on issue 12 months earlier.</p>

Register of ASX Listing Rule Waivers

Present Application

Foreign incorporated company - primary listing on TSX - majority of security holders hold on the Canadian register - majority of trading volume occurs on TSX - constraints placed by rules of TSX on issues of securities - main source of funding via equity raisings on the TSX - waivers from listing rule 7.1 previously granted to Company on an annual basis, the most recent to permit issues until 30 September 2007 - present waiver granted to be on-going, pursuant to the 'substituted compliance' policy as set out in Guidance Note 4 - waiver to be automatically renewed on 30 September each year, provided that the Company provides a certificate on an annual basis that it continues to comply with TSX requirements with respect to the issue of new securities - Company to advise ASX immediately on any change to the application of TSX Listing Rules in respect to issue of new securities or where the Company is no longer compliant with the TSX Listing Rules.

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Rule Number	9.1
Date	18/01/2008
ASX Code	BML
Listed Company	BOTSWANA METALS LIMITED
Waiver Number	WLC080001-001
Decision	<p>The Company be granted a waiver from listing rule 9.1 to the extent necessary to permit the Company not to apply the restrictions in Appendix 9B to ordinary shares in the Company issued to A-Cap and distributed in specie to shareholders in A-Cap that are not related parties or promoters of the Company or A-Cap or their associates, on condition that any securities distributed to related parties or promoters of the Company or A-Cap, or their respective associates, are held in escrow from the effective date of the in specie distribution until the end of the restriction period decided by ASX.</p>
Basis For Decision	<p>Underlying Policy Holder of restricted securities is not permitted to realise a benefit from restricted securities during escrow period - holder and controllers must enter into restriction agreement - security certificates must be held by bank or trustee or securities must be subject to holding lock - protects integrity of ASX market - ensures that ensures that promoters, vendors, etc does not receive benefit until value of the entity's business, services provided, or asset vended to entity has become apparent and is reflected in market price of entity's securities.</p> <p>Present Application Spin-off of assets of listed entity's business - shares in spin-off entity distributed to shareholders of listed entity - listed entity security holders exchanging indirect interest in assets for direct interest which is proportionate to their indirect interest (prior to the fundraising) - waiver to permit securities distributed to un-associated security holders not to be restricted.</p>

Rule Number	9.7
Date	25/01/2008
ASX Code	HXL
Listed Company	HEXIMA LIMITED
Waiver Number	WLC080044-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Hexima Limited (the "Company") a waiver from listing rule 9.7 to the extent necessary to permit the transfer of 1,000,000 restricted ordinary shares held by Woobinda Nominees Pty Ltd to Invia Custodians Pty Ltd, on the following conditions.</p> <ol style="list-style-type: none"> 1. The Company and Woobinda Nominees Pty Ltd enter into a restriction agreement for 1,870,997 ordinary shares fully paid, 928,425 options exercisable at 31 cents each on or before 31 December 2009 and 303,031 options exercisable at 50 cents each on or before 31 December 2009 for the remainder of the escrow period. 2. The Company and Invia Custodians Pty Ltd enter into a restriction agreement for 1,000,000 ordinary shares fully paid for the remainder of the escrow period. 3. The provider of registry services to the Company provides an undertaking to impose a holding lock on the restricted securities subject to the new restriction agreements for the balance of the escrow period, and not to remove the holding lock without ASX's written consent.
Basis For Decision	<p>Underlying Policy Prohibition on changing restriction agreements or releasing securities from custodian or holding lock - supports escrow regime.</p> <p>Present Application No change in beneficial ownership - waiver granted to permit change of legal ownership on condition that new restriction agreements are entered into - securities remain restricted for balance of escrow period.</p>

Rule Number	14.7
Date	18/01/2008
ASX Code	BKG
Listed Company	BUKA GOLD LIMITED
Waiver Number	WLC080050-001
Decision	<p>Based solely on the information provided, ASX Limited grants Buka Gold Limited (the "Company") a waiver from listing rule 14.7 to the extent necessary to permit the Company to issue a maximum of 200,000 ordinary fully paid shares to Mr David Hillier (or his nominee), as approved by shareholders at the annual general meeting held on 29 September 2006 on the following conditions.</p> <ol style="list-style-type: none"> 1. The shares are issued by no later than 31 January 2008. 2. The Company immediately releases the terms of this waiver to the market.
Basis For Decision	<p>Underlying Policy If a notice of meeting states that entity will do something that the listing rules require it to do, the entity must do that thing - supports listing rule requirements.</p> <p>Present Application Shareholder approval given to issue performance shares to chairman within 15 months of meeting, subject to performance hurdles being met - performance hurdles to be satisfied and shares to be issued by 31 Decembef 2007 - performance hurdles met however company failed to issue shares within required timeframe because of administrative oversight - Company can issue shares immediately - Company to announce waiver to market - waiver granted to permit shares to be issued by 31 January 2008.</p>