



Register of ASX Listing Rule Waivers

16 to 31 October 2009

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	3.20.2
Date	20/10/2009
ASX Code	API
Listed Company	AUSTRALIAN PHARMACEUTICAL INDUSTRIES LIMITED
Waiver Number	WLC090540-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Australian Pharmaceutical Industries Limited (the "Company"), the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$150 million by way of a placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of securities (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1.1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>1.2. In resolution 1.1, the Company may ignore changes in security holdings which occur after the announcement of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the announcement). In respect of security holdings registered in the name of a nominee the following will apply.</p> <p>1.2.1 The nominee shall be treated as a separate security holder in respect of securities held for each of one or more Institutional Security holders, and securities held for persons other than Institutional Security holders (and accordingly, may receive both Institutional Entitlement Offers in respect of securities held as nominee for Institutional Security holders and Retail Entitlement Offers in respect of securities held as nominee for other persons).</p> <p>1.2.2 Institutional Entitlement Offers will be treated as being made to the nominee, even where made directly to the Institutional Security holder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer -waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	3.20.2
Date	27/10/2009
ASX Code	CSR
Listed Company	CSR LIMITED
Waiver Number	WLC090549-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants CSR Limited (the "Company") a waiver from the following listing rules to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$375 million by way of an accelerated renounceable pro rata entitlement offer of the Company's ordinary shares (the "Entitlement Offer"), without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. In respect of the Entitlement Offer:</p> <p>1.1 Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>1.2. In resolution 1.1, the Company may ignore changes in shareholdings which occur after the imposition of the trading halt in the Company's shares (other than registrations of transactions which were effected through ITS before commencement of the trading halt).</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - waiver granted on condition that the timetable is acceptable to ASX.</p>

Rule Number	3.20.2
Date	26/10/2009
ASX Code	IIF
Listed Company	ING INDUSTRIAL FUND
Waiver Number	WLC090558-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants ING Industrial Fund (the "Fund"), the following waivers and confirmations to the extent necessary to permit the Fund to undertake a capital raising to raise approximately \$700 million by way of an institutional placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of ordinary units ("Securities") (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rule 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Fund, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlements Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>2. In resolution 1, the Fund may ignore changes in security holdings which occur after the announcement of the trading halt in the Fund's securities (other than registrations of transactions which were effected through ITS before the announcement). In respect of security holdings registered in the name of a nominee the following will apply.</p> <p>2.1. The nominee shall be treated as a separate security holder in respect of securities held for each of one or more Institutional Securityholders, and securities held for persons other than Institutional Securityholders (and accordingly, may receive both Institutional Entitlement Offers in respect of securities held as nominee for Institutional Securityholders and Retail Entitlement Offers in respect of securities held as nominee for other persons).</p> <p>2.2. Institutional Entitlement Offers will be treated as being made to the nominee, even where made directly to the Institutional Securityholder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	3.20.2
Date	16/10/2009
ASX Code	LYC
Listed Company	LYNAS CORPORATION LIMITED
Waiver Number	WLC090562-001
Decision	<p>1. Based solely on the information provided ASX Limited ("ASX") grants Lynas Corporation Limited (the "Company") the following waivers and confirmations to permit the Company to undertake a capital raising to raise approximately \$440 million by way of placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1.1. In respect of the Entitlement Offer:</p> <p>1.1.1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the commencement of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>1.1.2. In resolution 1.1.1, the Company may ignore changes in shareholdings which occur after the implementation of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the implementation of the trading halt). In respect of shareholdings registered in the name of a nominee the following will apply.</p> <p>(a) The nominee shall be treated as a separate shareholder in respect of Shares held for each of one or more Institutional Shareholders, and Shares held for persons other than Institutional Shareholders (and accordingly, may receive both Institutional Offers in respect of Shares held as nominee for Institutional Shareholders and Retail Offers in respect of Shares held as nominee for other persons).</p> <p>(b) Institutional Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	3.20.2
Date	27/10/2009
ASX Code	MMG
Listed Company	MACQUARIE MEDIA GROUP
Waiver Number	WLC090564-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Macquarie Media Trust, Macquarie Media Holdings Limited and Macquarie Media International Limited, together stapled and trading as Macquarie Media Group (the "Group"), waivers from the following listing rules, and gives the following confirmations, to the extent necessary to permit the Group to undertake a capital raising to raise approximately \$285 million by way of an accelerated renounceable pro rata entitlement offer of the Group's stapled securities (the "Entitlement Offer").</p> <p>2. In respect of the Entitlement Offer:</p> <p>2.1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Group, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>3. In resolution 2, the Group may ignore changes in securityholdings which occur after the imposition of the trading halt in the Group's stapled securities (other than registrations of transactions which were effected through ITS before the commencement of the trading halt).</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - waiver granted on condition that the timetable is acceptable to ASX.</p>

Rule Number	3.20.2
Date	29/10/2009
ASX Code	PRG
Listed Company	PROGRAMMED MAINTENANCE SERVICES LIMITED
Waiver Number	WLC090581-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Programmed Maintenance Services Limited (the "Company"), the following waivers and confirmations to permit the Company to undertake a capital raising to raise approximately \$60 million by way of an accelerated non-renounceable entitlement offer of ordinary shares (the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Waivers from listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the commencement of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>2. In resolution 1, the Company may ignore changes in shareholdings which occur after the implementation of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the implementation of the trading halt).</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	3.20.2
Date	20/10/2009
ASX Code	RXM
Listed Company	REX MINERALS LIMITED
Waiver Number	WLC090577-001
Decision	<p>Based solely on the information provided ASX Limited ("ASX") grants Rex Minerals Limited (the "Company") the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$30 million by way of an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the commencement of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>2. In resolution 1, the Company may ignore changes in shareholdings which occur after the implementation of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the implementation of the trading halt). In respect of shareholdings registered in the name of a nominee the following will apply.</p> <p>2.1. The nominee shall be treated as a separate shareholder in respect of Shares held for each of one or more Institutional Shareholders, and Shares held for persons other than Institutional Shareholders (and accordingly, may receive both Institutional Offers in respect of Shares held as nominee for Institutional Shareholders and Retail Offers in respect of Shares held as nominee for other persons).</p> <p>2.2. Institutional Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Entity must give ASX at least seven business days notice of record date and must comply with Appendix 3A timetable - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	4.2A
Date	29/10/2009
ASX Code	HIN
Listed Company	HEARTWARE INTERNATIONAL, INC
Waiver Number	WLC090557-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants HeartWare International, Inc. (the "Company") a waiver from the following listing rules.</p> <p>1.1. 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 each Form 10-Q that the Company is required to lodge with the Securities and Exchange Commission ("SEC") in accordance with its obligations under the Securities Exchange Act of 1934 (US) (the "Securities Exchange Act") within 45 days of the end of that half year, or the same time that the Company give the Form 10-Q to the SEC, whichever is the sooner, subject to the condition that at the same time that the Company gives ASX a Form 10-Q, it must also provide a cover sheet under the heading "Results for Announcement to the Market" which contains the information required by paragraph 2 of Appendix 4D.</p> <p>2. The waivers granted in resolution 1 are granted on the condition that the terms of the waivers are immediately announced to the market.</p>
Basis For Decision	<p>Underlying Policy Half year report - information substantially similar to Corporations Act requirements for Australian listed 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 entity - primary listing on NASDAQ - majority of members reside outside Australia - Company's operations are based outside of Australia - Company required to lodge Appendix 4D and half-year report with ASX within 2 months of end of accounting period - United States reporting requirements require the lodgement of half-year financial statements and interim management discussion and analysis within 45 days of the end of the half year - detailed and robust reporting required under United States legislation - members will receive half-year reports 15 days earlier than under the ASX listing rules - members unlikely to be adversely affected by the waiver - Company considered to satisfy criteria for relief outlined in Guidance Note 4 - 'Foreign Entities' in relation to this particular obligation - waivers granted.</p>

Rule Number	4.2B
Date	29/10/2009
ASX Code	HIN
Listed Company	HEARTWARE INTERNATIONAL, INC
Waiver Number	WLC090557-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants HeartWare International, Inc. (the "Company") a waiver from the following listing rules.</p> <p>1.1. 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 each Form 10-Q that the Company is required to lodge with the Securities and Exchange Commission ("SEC") in accordance with its obligations under the Securities Exchange Act of 1934 (US) (the "Securities Exchange Act") within 45 days of the end of that half year, or the same time that the Company give the Form 10-Q to the SEC, whichever is the sooner, subject to the condition that at the same time that the Company gives ASX a Form 10-Q, it must also provide a cover sheet under the heading "Results for Announcement to the Market" which contains the information required by paragraph 2 of Appendix 4D.</p> <p>2. The waivers granted in resolution 1 are granted on the condition that the terms of the waivers are immediately announced to the market.</p>
Basis For Decision	<p>Underlying Policy Half year report - information substantially similar to Corporations Act requirements for Australian listed 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 entity - primary listing on NASDAQ - majority of members reside outside Australia - Company's operations are based outside of Australia - Company required to lodge Appendix 4D and half-year report with ASX within 2 months of end of accounting period - United States reporting requirements require the lodgement of half-year financial statements and interim management discussion and analysis within 45 days of the end of the half year - detailed and robust reporting required under United States legislation - members will receive half-year reports 15 days earlier than under the ASX listing rules - members unlikely to be adversely affected by the waiver - Company considered to satisfy criteria for relief outlined in Guidance Note 4 - 'Foreign Entities' in relation to this particular obligation - waivers granted.</p>

Rule Number	4.3A
Date	29/10/2009
ASX Code	HIN
Listed Company	HEARTWARE INTERNATIONAL, INC
Waiver Number	WLC090557-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants HeartWare International, Inc. (the "Company") a waiver from the following listing rules.</p> <p>1.1. 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 financial year on condition that the Company lodges with ASX the Form 10-K that the Company is required to lodge with the SEC in accordance with its obligations under the Securities Exchange Act within 75 days of the end of that financial year or at the same time the Company gives the Form 10-K to the SEC, whichever is the sooner, subject to the condition that at the same time the Company gives ASX a Form 10-K it must also provide a cover sheet under the heading "Results for Announcement to the Market" which contains the information required by paragraph 2 of Appendix 4E.</p> <p>2. The waivers granted in resolution 1 are granted on the condition that the terms of the waivers are immediately announced to the market.</p>
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 entity - primary listing on NASDAQ - majority of members outside of Australia - Company's operations are based outside Australia - US reporting requirements require the lodgement of preliminary final report equivalent within 75 days of year end - ASX listing rules require lodgement within 2 months of year end - Company prepares its report in accordance with US accounting standards - considerable cost and inconvenience in preparing accounts to comply with ASX requirements - no additional benefit - the additional savings would outweigh any detriment to CDI holders - under waiver, Company will have up to 75 days after year end to lodge financial information equivalent to the preliminary final report under listing rules - extension of approximately 15 days - Company considered to satisfy criteria for relief outlined in Guidance Note 4 - 'Foreign Entities' in relation to this particular obligation - waivers granted.</p>

Rule Number	4.3B
Date	29/10/2009
ASX Code	HIN
Listed Company	HEARTWARE INTERNATIONAL, INC
Waiver Number	WLC090557-004
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants HeartWare International, Inc. (the "Company") a waiver from the following listing rules.</p> <p>1.1. 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 financial year on condition that the Company lodges with ASX the Form 10-K that the Company is required to lodge with the SEC in accordance with its obligations under the Securities Exchange Act within 75 days of the end of that financial year or at the same time the Company gives the Form 10-K to the SEC, whichever is the sooner, subject to the condition that at the same time the Company gives ASX a Form 10-K it must also provide a cover sheet under the heading "Results for Announcement to the Market" which contains the information required by paragraph 2 of Appendix 4E.</p> <p>2. The waivers granted in resolution 1 are granted on the condition that the terms of the waivers are immediately announced to the market.</p>
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 entity - primary listing on NASDAQ - majority of members outside of Australia - Company's operations are based outside Australia - US reporting requirements require the lodgement of preliminary final report equivalent within 75 days of year end - ASX listing rules require lodgement within 2 months of year end - Company prepares its report in accordance with US accounting standards - considerable cost and inconvenience in preparing accounts to comply with ASX requirements - no additional benefit - the additional savings would outweigh any detriment to CDI holders - under waiver, Company will have up to 75 days after year end to lodge financial information equivalent to the preliminary final report under listing rules - extension of approximately 15 days - Company considered to satisfy criteria for relief outlined in Guidance Note 4 - 'Foreign Entities' in relation to this particular obligation - waivers granted.</p>

Rule Number	4.7B
Date	29/10/2009
ASX Code	HIN
Listed Company	HEARTWARE INTERNATIONAL, INC
Waiver Number	WLC090557-005
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants HeartWare International, Inc. (the "Company") a waiver from the following listing rules.</p> <p>1.1. Listing rule 4.7B to the extent necessary to permit the Company not to lodge quarterly an Appendix 4C on condition that the Company lodges with ASX each Form 10-Q the Company is required to lodge with the SEC in accordance with its obligations under the Securities Exchange Act, within 45 days of the end of each quarter (excluding the quarter in which the Company lodges its Form 10-K) or at the same time that the Company lodges those documents with the SEC, whichever is the sooner.</p> <p>2. The waiver granted in resolution 1 are granted on the condition that the terms of the waivers are immediately announced to the market.</p>
Basis For Decision	<p>Underlying Policy Quarterly report required for an entity admitted based on 'commitments' - enhances continuous disclosure regime by requiring disclosure of a summary of the expenditure incurred on those activities - quarterly report must be provided within one month of the end of each quarter.</p> <p>Present Application Foreign incorporated entity - primary listing on NASDAQ - majority of members outside Australia - Company's operations are based outside Australia - ASX listing rule would require Company to lodge an Appendix 4C with ASX within one month of the end of each quarter - Company required to lodge quarterly reports under United States legislation and ASX listing rules - duplication of quarterly reports - US quarterly reporting requirements onerous but given longer time frame after quarter end for lodgement - Form 10-Q to be lodged within 45 days of the end of quarter (excluding the quarter in which the Company lodges its Form 10-K) - extension of approximately 15 days (and up to 45 days if fourth quarter of Company's financial year) - Company considered to satisfy criteria for relief outlined in Guidance Note 4 - 'Foreign Entities', in relation to this particular obligation - waiver granted.</p>

Rule Number	5.6
Date	30/10/2009
ASX Code	EPS
Listed Company	EPSILON ENERGY LIMITED
Waiver Number	WLC090582-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Epsilon Energy Limited (the "Company") a waiver from listing rule 5.6 to the extent necessary to permit the Company to do each of the following;</p> <p>1.1. Include historical estimates of mineralisation (which are not in compliance with Appendix 5A of the Listing Rules (the "JORC Code")) being the 3.9Mt @ 2.2g/t Au for 280,000 contained ounces of gold and for the purpose of relevance 4.1 Mt @ 2.2g/t Au for 291,000 contained ounces of gold, for the West Omai Project in Guyana (the "Historical Foreign Estimates") in the following public announcements;</p> <p>(a) the announcement of the Company's proposed acquisition of 100% of the issued capital of Takatu Minerals Limited ("Takatu");</p> <p>(b) a prospectus to raise at least \$3 million to fund exploration of projects to be acquired following the acquisition of Takatu;</p> <p>(c) the Company's notice of general meeting seeking shareholder approval for the acquisition of Takatu.</p> <p>subject to the public announcements containing the Historical Foreign Estimates including the following:</p> <p>1.1.1. A statement that the Historical Foreign Estimates of the resources and reserves are not reported in accordance with the JORC Code and that it is uncertain that following evaluation and/or further exploration that the resource or reserve estimate will ever be reported in accordance with the JORC Code.</p> <p>1.1.2. Identification of the sources and dates of the Historical Foreign Estimates of the resources and reserves.</p> <p>1.1.3. Confirmation that the Historical Foreign Estimates of the resources and reserves are relevant, together with an explanation as to why they are relevant.</p> <p>1.1.4. Comment on the reliability of the Historical Foreign Estimates of the resources and reserves.</p> <p>1.1.5. Comment on the materiality of the Historical Foreign Estimates of the resources and reserves.</p> <p>1.1.6. A statement as to whether the of the resources and reserves uses categories other than the ones set out in the JORC Code and, if so, include an explanation of the differences.</p> <p>1.1.7. The inclusion of any more recent estimates or data available to the Company.</p> <p>1.1.8. Information about the Company's intention to evaluate the matters listed in Table 1 of the JORC Code which are relevant to the estimate and or to conduct exploration for the purposes of allowing a competent person to take responsibility for the estimates of mineral resources or ore reserves so that they may be reported by the Company in accordance with the JORC Code. The timeframe contemplated by the Company for this work should be disclosed.</p> <p>1.1.9. A statement confirming that the announcement, prospectus and notice of meeting are consistent with the guidance contained in the Companies Updates numbered 11/07 and 05/04.</p> <p>1.1.10. A competent person's statement accepting responsibility for</p>

Register of ASX Listing Rule Waivers

	<p>the accuracy of the information contained within the announcement, prospectus and notice of meeting.</p> <p>1.1.11. A statement that ASX has granted a waiver to listing rule 5.6 to allow the Company to report the Historical Foreign Estimates of the resources and reserves.</p>
<p>Basis For Decision</p>	<p>Underlying Policy Report prepared by mining entity must be prepared in accordance with the Australian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves (the JORC Code) - maintains consistency and quality of reporting across all mining entities - maintains integrity of market.</p> <p>Present Application Company announcement, prospectus and notice of meeting permitted to contain historical estimate prepared before the JORC Code became applicable - historical estimate is material to an understanding of the mineralisation - historical estimate disclosed in the interests of maintaining an informed market and compliance with continuous disclosure obligations - literature and data which are source of historical estimate has been reviewed by a geologist who is a "competent person" under the JORC Code, who can form a view on the degree of reliability of these estimates and put them in an appropriate context - condition imposed requiring statement in report that historical estimate is inconsistent with the JORC Code, and the reasons why it must be disclosed - conditions to make clear that the company does not purport to hold out the historical estimate as resources and reserves in compliance with JORC Code - relief under this waiver not to be available for future public reports on an ongoing basis.</p>

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Rule Number	6.18
Date	21/10/2009
ASX Code	AVM
Listed Company	ANVIL MINING LIMITED
Waiver Number	WLC090539-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Anvil Mining Limited (the "Company") a waiver from listing rule 6.18 to the extent necessary to permit Trafigura Beheer B.V. ("Trafigura") to maintain, by way of a right to participate in any issue of securities or to subscribe for securities, its percentage interest in the issued capital of the Company (the "Top-up Right") in respect of a diluting event which occurs or is announced following completion of a subscription agreement entered into between the Company and Trafigura subject to the following conditions.</p> <ol style="list-style-type: none"> 1. The Top-up Right lapses if Trafigura's holding in the Company falls below 15%. 2. The Top-up Right lapses if the strategic relationship between the Company and Trafigura ceases or changes in such a way that it effectively ceases. 3. The Top-up Right may only be transferred to an entity in the wholly owned group of Trafigura. 4. Any securities issued under the Top-up Right are offered to Trafigura for cash consideration that is either of the following. <ol style="list-style-type: none"> 4.1 No more favourable than cash consideration offered by third parties (in the case of issues of securities to third parties for cash consideration). 4.2 Equivalent in value to non-cash consideration offered by third parties (in the case of issues of securities to third parties for non-cash consideration). 5. The number of securities that may be issued to Trafigura under the Top up Right in the case of any diluting event must not be greater than the number required in order for Trafigura to maintain its percentage holding immediately before that diluting event. 6. The Company discloses a summary of the Top-up Right to persons who may subscribe for securities under a prospectus, and undertakes to include in each annual report a summary of the Top-up Right.
Basis For Decision	<p>Underlying Policy Prohibition against an option over a percentage of an entity's capital - applies to any agreement that will enable an investor to achieve or maintain a fixed percentage of the capital of an entity - goes to acceptable capital structure - supports other listing rules, principally listing rule 7.1.</p>

Register of ASX Listing Rule Waivers

Present Application

Strategic relationship to be established as part of broader subscription agreement - company to enter into a life of mine off take agreement for all product from Kinsevere mine - cornerstone investor to provide technical services during the construction, commissioning and commercial production phases of the Company's Kinsevere project for a period of 5 years - cornerstone investor to provide credit facility and assist Company in LME registration - has board representation - part of the agreement to subscribe includes a top-up right to prevent dilution - waiver granted to permit top-up right while strategic relationship continues - top-up right cannot be transferred outside corporate group of the strategic investor - top-up right ends if the strategic relationship with cornerstone investor ceases or its interest in the company falls below 15%.

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Rule Number	6.24
Date	29/10/2009
ASX Code	AHN
Listed Company	ATHENA RESOURCES LIMITED
Waiver Number	WLC090537-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Athena Resources 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 37,423,649 quoted options (AHNO) exercisable at \$0.20 per option on or before 30 November 2009, on the following conditions:</p> <ol style="list-style-type: none"> 1. The information required by paragraph 6.1 of Appendix 6A is provided to the Company Announcements Office no later than 30 October 2009 together with a statement that an option expiry notice will not be sent to option holders. 2. If the market price of the Company's ordinary shares exceeds \$0.15 before 30 November 2009 the Company immediately sends an option expiry notice to option holders.
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	6.24
Date	30/10/2009
ASX Code	CVI
Listed Company	CITYVIEW CORPORATION LIMITED
Waiver Number	WLC090583-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants CityView Corporation 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 96,529,950 options (CVIO) exercisable at \$0.15 per option on or before 30 November 2009, on the following conditions:</p> <ol style="list-style-type: none"> 1. The information required by paragraph 6.1 of Appendix 6A is provided to the Company Announcements Office no later than 30 October 2009 together with a statement that an option expiry notice will not be sent to option holders. 2. If the market price of the Company's ordinary shares exceeds \$0.11 before 30 November 2009 the Company immediately sends an option expiry notice to option holders.
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	6.24
Date	16/10/2009
ASX Code	CGI
Listed Company	CONSOLIDATED GLOBAL INVESTMENTS LIMITED
Waiver Number	WLC090547-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Consolidated Global Investment 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 4,750,000 options (CGIO) exercisable at \$0.20 per option on or before 31 January 2010, on the following conditions:</p> <ol style="list-style-type: none"> 1. The information required by paragraph 6.1 of Appendix 6A is provided to the Company Announcements Office no later than 1 January 2010 together with a statement that an option expiry notice will not be sent to option holders. 2. If the market price of the Company's ordinary shares exceeds \$0.15 before 31 January 2010 the Company immediately sends an option expiry notice to option holders.
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	6.24
Date	27/10/2009
ASX Code	POS
Listed Company	POSEIDON NICKEL LIMITED
Waiver Number	WLC090572-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Poseidon Nickel 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 6,157,403 options (POSO) exercisable at \$0.81 each on or before 5 December 2009, on the following conditions:</p> <ol style="list-style-type: none"> 1. The information required by paragraph 6.1 of Appendix 6A is provided to the Company Announcements Office no later than 6 November 2009 together with a statement that an option expiry notice will not be sent to option holders. 2. If the market price of the Company's ordinary shares exceeds \$0.605 before 5 December 2009 the Company immediately sends an option expiry notice to option holders.
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	6.24
Date	23/10/2009
ASX Code	YRR
Listed Company	YELLOW ROCK RESOURCES LIMITED
Waiver Number	WLC090579-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Yellow Rock Resources 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 179,873,800 options (YRRO) exercisable at \$0.20 each on or before 30 November 2009, on the following conditions:</p> <ol style="list-style-type: none"> 1. The information required by paragraph 6.1 of Appendix 6A is provided to the Company Announcements Office no later than 29 November 2009 together with a statement that an option expiry notice will not be sent to option holders. 2. If the market price of the Company's ordinary shares exceeds \$0.15 before 30 November 2009 the Company immediately sends an option expiry notice to option holders.
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	14/10/2009
ASX Code	ACS
Listed Company	ACCENT RESOURCES NL
Waiver Number	WLC090538-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Accent Resources NL (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining security holder approval, to issue up to \$15,000 worth of ordinary fully paid shares to each security holder, including related parties, who subscribes under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP is no greater than 20% of the Company's average security price over the last 5 trading days either before the day on which the issue was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC class order 09/425 contemplates issue of not more than \$15,000 worth of securities under a security purchase plan without a PDS - all security holders able to participate on equal terms - Company share purchase plan within spirit of listing rule 7.2 exception 15.</p>

Rule Number	7.1
Date	20/10/2009
ASX Code	API
Listed Company	AUSTRALIAN PHARMACEUTICAL INDUSTRIES LIMITED
Waiver Number	WLC090540-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Australian Pharmaceutical Industries Limited (the "Company"), the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$150 million by way of a placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of securities (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without security holder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1. On or before the record date, security holders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Security Holder") may be invited by the Company to subscribe for a number of securities equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.2. Entitlements not taken up by Institutional Security Holders under the Institutional Entitlement Offer, and, if the underwriter to the Entitlement Offer determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Security Holders (including such investors who are not security holders as at the record date) through a bookbuild process conducted and completed on or before the record date ("Institutional Bookbuild").</p> <p>1.3. Institutional Security Holders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.4. All security holders, other than security holders who receive an offer in the Institutional Entitlement Offer and Foreign Excluded Investors ("Retail Security Holders"), are offered a number of securities equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.5. Securities are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide (sub) underwriting arrangements and the terms of the (sub) underwriting are included in the offer documents to be sent to all security holders.</p> <p>2. In respect of the Placement:</p> <p>2.1. Listing rule 7.1 to the extent necessary to permit the Company to calculate the number of Securities that may be issued without</p>

Register of ASX Listing Rule Waivers

	<p>prior security holder approval pursuant to the Placement on the basis that variable "A" of the formula in listing rule 7.1 is deemed to include the number of securities in the Company that may be issued under the fully underwritten Entitlement Offer, subject to the following conditions.</p> <p>(a) The number of securities to be issued under the Placement is not greater than 30% of the Company's currently issued capital.</p> <p>(b) The Placement is to be included in variable "C" in the formula under listing rule 7.1, until it is ratified by security holders.</p> <p>(c) In the event that the Entitlement Offer does not proceed, the Company's 15% placement capacity under listing rule 7.1 will be diminished by that number of Placement securities that exceeded the Company's 15% placement capacity under listing rule 7.1 at the time of the issue of the Placement securities.</p>
<p>Basis For Decision</p>	<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 securities on issue 12 months earlier.</p> <p>Present Application Entitlement Offer Accelerated entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price. Placement Entity proposing to make a placement under listing rule 7.1 based on calculation of capacity that includes securities yet to be issued under fully underwritten accelerated entitlement offer which is functionally equivalent to a non-renounceable pro rata offer - placement will occur simultaneously with institutional component of entitlement offer - entitlement offer fully underwritten and will proceed as a matter of commercial certainty - effectively a timing waiver that permits entity to draw on the future issuing capacity under listing rule 7.1 that will be created by the entitlement offer before the entitlement offer has actually been completed.</p>

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Rule Number	7.1
Date	16/10/2009
ASX Code	BLZ
Listed Company	BLAZE INTERNATIONAL LIMITED
Waiver Number	WLC090541-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Blaze International Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the SPP Offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	16/10/2009
ASX Code	CHO
Listed Company	CHOISEUL INVESTMENTS LIMITED
Waiver Number	WLC090542-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Choiseul Investments Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	28/10/2009
ASX Code	CLY
Listed Company	CLANCY EXPLORATION LIMITED
Waiver Number	WLC090551-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Clancy Exploration Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan ("SPP") in accordance with Australian Securities and Investments Commission ("ASIC") Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered \$15,000 worth of shares on the following conditions.</p> <ol style="list-style-type: none"> 1. The issue price of the shares offered under the SPP will be at least 80% of the Company's average share price over the last 5 trading days before the day on which the issue was made under the SPP. 2. The number of shares to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a SPP without a prospectus - all shareholders able to participate on equal terms - the offer under the SPP is not less than 80% of the average market price for securities in that class - within exception 15 of the listing rule 7.2 - overall cap of 30 % of issued capital must still be observed to limit dilution.</p>

Rule Number	7.1
Date	16/10/2009
ASX Code	CQT
Listed Company	CONQUEST MINING LIMITED
Waiver Number	WLC090546-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Conquest Mining Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan ("SPP") in accordance with Australian Securities and Investments Commission ("ASIC") Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered \$15,000 worth of shares on the following conditions.</p> <ol style="list-style-type: none"> 1. The issue price of the shares offered under the SPP will be at least 80% of the Company's average share price over the last 5 trading days before the day on which the issue was made under the SPP. 2. The number of shares to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a SPP without a prospectus - all shareholders able to participate on equal terms - the offer under the SPP is not less than 80% of the average market price for securities in that class - within exception 15 of the listing rule 7.2 - overall cap of 30% of issued capital must still be observed to limit dilution.</p>

Rule Number	7.1
Date	16/10/2009
ASX Code	CSE
Listed Company	COPPER STRIKE LIMITED
Waiver Number	WLC090548-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Copper Strike Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, (excluding underwriters) who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions:</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC class order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all security holders able to participate on equal terms - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP - waiver granted</p>

Rule Number	7.1
Date	27/10/2009
ASX Code	CSR
Listed Company	CSR LIMITED
Waiver Number	WLC090549-003
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants CSR Limited (the "Company") waivers from the following listing rules, to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$375 million by way of an accelerated renounceable pro rata entitlement offer of the Company's ordinary shares (the "Entitlement Offer"), without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>(a) On or before the record date, shareholders who are believed by the Company or the underwriters to the Entitlement Offer to be persons to whom offers of ordinary shares may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholder") may be invited by the Company to subscribe for a number of ordinary shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(b) Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>(c) All shareholders, other than shareholders who received an offer in the Institutional Entitlement Offer and Foreign Excluded Investors, are offered a number of ordinary shares equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer ("Retail Foreign Excluded Investors").</p> <p>(d) Entitlements not taken up in the Institutional Entitlement Offer and Retail Entitlement Offer, and, if the underwriters determine, entitlements which would have been offered to investors who have been excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed immediately following the close of the Retail Offer.</p> <p>(e) Shares are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>(f) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p>

Register of ASX Listing Rule Waivers

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 securities on issue 12 months earlier.</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price.</p>
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Rule Number	7.1
Date	28/10/2009
ASX Code	DML
Listed Company	DISCOVERY METALS LIMITED
Waiver Number	WLC090550-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Discovery Metals Limited (the "Company") waivers from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribes under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP Offer"), on the following conditions.</p> <p>1. The issue price at which the shares are offered under the SPP Offer is at least the lower of the following.</p> <p>1.1 The price of the shares issued under the placement announced by the Company on 23 October 2009.</p> <p>1.2 80% of the Company's average share price over the last 5 trading days on which sales in the Company's shares were recorded either before the day on which the issue was first announced or before the day on which the issue is made under the SPP Offer.</p> <p>2. The number of shares to be issued under the SPP Offer is not greater than 30% of the number of fully paid ordinary shares already on issue.</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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all security holders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP Offer.</p>

Rule Number	7.1
Date	20/10/2009
ASX Code	EAL
Listed Company	E & A LIMITED
Waiver Number	WLC090552-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants E & A Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary which permits the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of ordinary fully paid shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 which permits the making of such offers without a disclosure document (the "SPP"), on the following conditions:</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP is no greater than 20 per cent of the Company's average share price over the last 5 trading days on which sales in the Company's shares were recorded either before the day on which the issue is first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP is not greater than 30 per cent of the number of fully paid ordinary shares already on issue.
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 per cent of the securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates the issue of not more than \$15,000 worth of securities under a security purchase plan without a PDS - all security holders able to participate on equal terms - company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80 per cent of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	19/10/2009
ASX Code	ESG
Listed Company	EASTERN STAR GAS LIMITED
Waiver Number	WLC090553-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Eastern Star Gas Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	26/10/2009
ASX Code	IIF
Listed Company	ING INDUSTRIAL FUND
Waiver Number	WLC090558-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants ING Industrial Fund (the "Fund"), the following waivers and confirmations to the extent necessary to permit the Fund to undertake a capital raising to raise approximately \$700 million by way of an institutional placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of ordinary units ("Securities") (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1.1. Listing rule 7.1 and 10.11 to the extent necessary to permit the Fund to conduct the Entitlement Offer without security holder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1.1. On or before the record date, security holders who are believed by the Fund or the underwriters to the Entitlement Offer to be persons to whom offers of securities may be made without a product disclosure statement in accordance with Part 7.9 of the Corporations Act 2001 (Cth) ("Institutional Securityholder") may be invited by the Fund to subscribe for a number of securities equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.1.2. Entitlements not taken up by Institutional Securityholders under the Institutional Entitlement Offer, and, if the underwriters to the Entitlement Offer determine, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Securityholders (including such investors who are not security holders as at the record date) through a bookbuild process conducted and completed on or before the record date ("Institutional Bookbuild").</p> <p>1.1.3. Institutional Securityholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.1.4. All security holders, other than security holders who receive an offer in the Institutional Entitlement Offer and Foreign Excluded Investors ("Retail Security Holders"), are offered a number of securities equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer ("Retail Foreign Excluded Investors").</p> <p>1.1.5. Securities are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>1.1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all security holders.</p> <p>1.2. In respect of the Placement:</p> <p>1.2.1. Listing rule 7.1 to the extent necessary to permit the Fund to calculate the number of Securities that may be issued without prior security holder approval pursuant to the Placement on the basis</p>

Register of ASX Listing Rule Waivers

	<p>that variable "A" of the formula in listing rule 7.1 is deemed to include the number of securities in the Fund that may be issued under the Entitlement Offer, subject to the following conditions.</p> <p>(a) The number of securities to be issued under the Placement is not greater than 30% of the Fund's currently issued capital.</p> <p>(b) The Placement is to be included in variable "C" in the formula under listing rule 7.1, until it is ratified by security holders.</p> <p>(c) In the event that the Entitlement Offer does not proceed, the Fund's 15% placement capacity under listing rule 7.1 will be diminished by that number of Placement securities that exceeded the Fund's 15% placement capacity under listing rule 7.1 at the time of the issue of the Placement securities.</p> <p>(d) The Entitlement Offer is fully underwritten.</p>
<p>Basis For Decision</p>	<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 securities on issue 12 months earlier.</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price.</p>

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Rule Number	7.1
Date	16/10/2009
ASX Code	IGR
Listed Company	INTEGRA MINING LIMITED
Waiver Number	WLC090560-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Integra Mining Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered up to \$5,000 worth of shares (the "SPP") on the following conditions:</p> <p>1. The issue price at which the securities are offered is at least the lower of the following.</p> <p>1.1. The price of shares issued under the placement announced by the Company on 7 October 2009.</p> <p>1.2. 80% of the Company's average share price over the last 5 days on which sales in the Company's shares are recorded either before the day on which the offer was first announced or before the day on which the issue is made under the SPP.</p> <p>2. The total number of shares that may be issued in reliance on this waiver under all share purchase plans undertaken by the Company during the 12 months after the record date for the share purchase plan undertaken in February 2009 (the "February Share Purchase Plan") must not be greater than 30% of the number of fully paid shares on issue as at the record date of the February Share Purchase Plan.</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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - in the last 12 months Company has already issued \$5,000 worth of securities to holders under an SPP - proposed SPP to be capped at \$5,000 per holder in order not to exceed \$15,000 -all security holders able to participate on equal terms- pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP- overall cap of 30% of issued capital must still be observed to limit dilution - 30% limit based on the number of securities on issue at the record date of the previous SPP during the 12 month period - proposed terms of SPP such that Company's proposed SPP within spirit of exception 15 of listing rule 7.2 .</p>

Rule Number	7.1
Date	15/10/2009
ASX Code	LNG
Listed Company	LIQUEFIED NATURAL GAS LIMITED
Waiver Number	WLC090561-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Liquefied Natural Gas Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the SPP Offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	16/10/2009
ASX Code	LYC
Listed Company	LYNAS CORPORATION LIMITED
Waiver Number	WLC090562-003
Decision	<p>1. Based solely on the information provided ASX Limited ("ASX") grants Lynas Corporation Limited (the "Company") the following waivers to permit the Company to undertake a capital raising to raise approximately \$440 million by way of placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1.1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>(a) On or before the record date, shareholders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholders") may be invited by the Company to subscribe for a number of Shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(b) Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the underwriter to the Entitlement Offer determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed on or before the record date.</p> <p>(c) Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>(d) All shareholders, other than shareholders who receive an offer in the Institutional Offer and Foreign Excluded Investors, are offered a number of Shares equal to their pro rata allocations of the Entitlement Offer ("Retail Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(e) Shares are offered under the Institutional Offer and Retail Offer at the same price.</p> <p>(f) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p> <p>1.2. In respect of the Placement:</p> <p>1.2.1. Listing rule 7.1 to the extent necessary to permit the Company to calculate the number of Shares which it may issue without shareholder approval pursuant to the Placement on the basis that variable "A" of the formula in listing rule 7.1 is deemed to include the number of ordinary shares in the Company that may be issued under the Entitlement Offer, subject to the following</p>

Register of ASX Listing Rule Waivers

	<p>conditions.</p> <p>(a) The number of Shares to be issued under the Placement is not to exceed 30% of the Company's currently issued Shares.</p> <p>(b) The Placement is to be included in variable "C" in the formula under listing rule 7.1, until it is ratified by shareholders.</p> <p>(c) In the event that the full number of Shares offered under the Entitlement Offer are not issued, and the number of Shares represented by the Placement thereby exceeds 15% of the actual number of the Company's Shares following completion of the Entitlement Offer, the Company's 15% placement capacity under listing rule 7.1 following completion of the Entitlement Offer is to be diminished by that number of Shares issued under the Placement that exceeded the Company's 15% placement capacity under listing rule 7.1 at the time of the Placement.</p> <p>(d) The Entitlement Offer is fully underwritten.</p>
<p>Basis For Decision</p>	<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 securities on issue 12 months earlier.</p> <p>Present Application Entitlement Offer Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutions - second round offer to other security holders - all offers at the same price.</p> <p>Placement Company proposing to make institutional placement under listing rule 7.1 based on calculation of capacity that includes securities yet to be issued under accelerated entitlement offer which is functionally equivalent to a non-renounceable pro rata offer - placement will occur simultaneously with institutional component of entitlement offer - offer fully underwritten and will proceed as a matter of commercial certainty - effectively a timing waiver that permits entity to draw on the future issuing capacity under listing rule 7.1 that will be created by the entitlement offer before the offer has actually been completed.</p>

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Rule Number	7.1
Date	27/10/2009
ASX Code	MMG
Listed Company	MACQUARIE MEDIA GROUP
Waiver Number	WLC090564-003
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Macquarie Media Trust, Macquarie Media Holdings Limited and Macquarie Media International Limited, together stapled and trading as Macquarie Media Group (the "Group"), waivers from the following listing rules, and gives the following confirmations, to the extent necessary to permit the Group to undertake a capital raising to raise approximately \$285 million by way of an accelerated renounceable pro rata entitlement offer of the Group's stapled securities (the "Entitlement Offer").</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Group to conduct the Entitlement Offer without securityholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>(a) On or before the record date, securityholders who are believed by the Group or the underwriters to the Entitlement Offer to be persons to whom offers of stapled securities may be made without a prospectus in accordance with Chapter 6D and Part 7.9 of the Corporations Act 2001 ("Institutional Shareholder") may be invited by the Group to subscribe for a number of stapled securities equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(b) Institutional Securityholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>(c) All securityholders, other than securityholders who received an offer in the Institutional Entitlement Offer and Foreign Excluded Investors, are offered a number of stapled securities equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer ("Retail Foreign Excluded Investors").</p> <p>(d) Entitlements not taken up in the Institutional Entitlement Offer and Retail Entitlement Offer, and, if the underwriters determine, entitlements which would have been offered to investors who have been excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to Institutional Securityholders (including such investors who are not securityholders as at the record date) through a bookbuild process conducted and completed immediately following the close of the Retail Offer.</p> <p>(e) Stapled securities are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>(f) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all securityholders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Dilution of holdings - approval of existing securityholders 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 securityholder approval fixed at 15% of the securities on issue 12 months earlier.</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price.</p>
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Rule Number	7.1
Date	22/10/2009
ASX Code	MEU
Listed Company	MARMOTA ENERGY LIMITED
Waiver Number	WLC090566-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Marmota Energy Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	30/10/2009
ASX Code	MSF
Listed Company	MARYBOROUGH SUGAR FACTORY LIMITED (THE)
Waiver Number	WLC090565-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants The Maryborough Sugar Factory Limited (the "Company") waivers from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribes under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP Offer"), on the following conditions.</p> <p>1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last five days on which sales in the Company's shares were recorded either before the day on which the issue was first announced or before the day on which the issue was made.</p> <p>2. The number of securities to be issued under the SPP Offer is not greater than 30% of the number of fully paid ordinary shares already on issue.</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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP Offer.</p>

Rule Number	7.1
Date	23/10/2009
ASX Code	MOL
Listed Company	MOLY MINES LIMITED
Waiver Number	WLC090567-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Moly Mines Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the SPP Offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP Offer is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	28/10/2009
ASX Code	PIE
Listed Company	PIENETWORKS LIMITED
Waiver Number	WLC090569-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants pieNETWORKS Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	27/10/2009
ASX Code	PMC
Listed Company	PLATINUM CAPITAL LIMITED
Waiver Number	WLC090570-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Platinum Capital Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	23/10/2009
ASX Code	PLV
Listed Company	PLUTON RESOURCES LIMITED
Waiver Number	WLC090571-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Pluton Resources Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with ASIC Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - Company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.1
Date	29/10/2009
ASX Code	PRG
Listed Company	PROGRAMMED MAINTENANCE SERVICES LIMITED
Waiver Number	WLC090581-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Programmed Maintenance Services Limited (the "Company"), the following waivers and confirmations to permit the Company to undertake a capital raising to raise approximately \$60 million by way of an accelerated non-renounceable entitlement offer of ordinary shares (the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Waivers from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1. On or before the record date, shareholders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholders") may be invited by the Company to subscribe for a number of shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.2. Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the underwriter determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed on or before the record date.</p> <p>1.3. Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.4. All shareholders, other than shareholders who receive an offer in the Institutional Offer and Foreign Excluded Investors, are offered a number of shares equal to their pro rata allocations of the Entitlement Offer ("Retail Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>15. Shares are offered under the Institutional Offer and Retail Offer at the same price.</p> <p>1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</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 securities on issue 12 months earlier.</p>

Register of ASX Listing Rule Waivers

Present Application

Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutions - second round offer to other security holders - all offers at the same price - security holders do not participate beyond pro rata allocations other than taking up securities to make up the shortfall under the entitlement offer.

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Rule Number	7.1
Date	29/10/2009
ASX Code	PHG
Listed Company	PULSE HEALTH LIMITED
Waiver Number	WLC090574-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Pulse Health Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan ("SPP") in accordance with Australian Securities and Investments Commission ("ASIC") Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered \$15,000 worth of shares on the following conditions.</p> <p>1. The issue price of the shares offered under the SPP will be at least the lower of the following.</p> <p>1.1. The issue price of the shares issued under the placement announced on 8 October 2009, 6 cents.</p> <p>1.2. 80% of the Company's average share price over the last 5 trading days on which sales were recorded, either before the day on which the SPP was announced or on which the shares were issued under the SPP.</p> <p>2. The number of shares to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.</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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - proposed terms of SPP such that pricing of securities under SPP will be the price of shares issued under a placement and to be issued under a further placement, which may be lower than 80% of average security price over the last 5 trading days before the day on which the issue is made under the SPP - exception 15 of listing rule 7.2 requires that the issue price be no lower than 80% of the 5 day market price prior to the date of issue of the securities or the announcement of SPP - in the interests of fairness, smaller holders to receive securities as participants in placement - overall cap of 30 % of issued capital must still be observed to limit dilution.</p>

Rule Number	7.1
Date	29/10/2009
ASX Code	RCU
Listed Company	REAL ESTATE CAPITAL PARTNERS USA PROPERTY TRUST
Waiver Number	WLC090575-001
Decision	<p>Resolution 1 of the decision of ASX Limited dated 3 September 2009 in relation to Real Estate Capital Partners USA Property Trust is rescinded and replaced as follows.</p> <p>"1. Based solely on the information provided, ASX Limited ("ASX") grants Real Estate Capital Partners USA Property Trust (the "Trust") a waiver from listing rule 7.1 to the extent necessary to permit the Trust, without obtaining securityholder approval, to issue up to \$15,000 worth of shares to each securityholder, who subscribes under a security purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP"), on the following conditions.</p> <p>1.1 The issue price at which the securities are offered under the SPP is at least the lower of the following.</p> <p>1.1.1 The price of the securities issued under the placement announced by the Trust on 4 September 2009, being 15 cents.</p> <p>1.1.2 80% of the Trust's average security price over the last 5 trading days on which sales in the Company's securities were recorded either before the day on which the issue was first announced or before the day on which the issue is made under the SPP.</p> <p>1.2 The number of securities to be issued under the SPP is not greater than 30% of the number of fully paid ordinary securities already on issue."</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 securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a security purchase plans in a 12 month period without a disclosure document - all eligible securityholders able to participate on equal terms - proposed terms of SPP such that pricing of securities under SPP will be the lowest of either the offer price under any preceding institutional placement or 80% of average security price over the last 5 trading days before the day on which the issue is announced or made under the SPP - exception 15 of listing rule 7.2 requires that the issue price be no lower than 80% of the 5 day market price prior to the date of issue of the securities or the announcement of SPP - in the interests of fairness, smaller holders to receive securities at same price as participants in placement - waiver granted.</p>

Rule Number	7.1
Date	20/10/2009
ASX Code	RXM
Listed Company	REX MINERALS LIMITED
Waiver Number	WLC090577-003
Decision	<p>Based solely on the information provided ASX Limited ("ASX") grants Rex Minerals Limited (the "Company") the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$30 million by way of an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1. On or before the record date, shareholders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholders") may be invited by the Company to subscribe for a number of Shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.2. Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the underwriter to the Entitlement Offer determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed on or before the record date.</p> <p>1.3. Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.4. All shareholders, other than shareholders who receive an offer in the Institutional Offer and Foreign Excluded Investors, are offered a number of Shares equal to their pro rata allocations of the Entitlement Offer ("Retail Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.5. Shares are offered under the Institutional Offer and Retail Offer at the same price.</p> <p>1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p>

Register of ASX Listing Rule Waivers

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 securities on issue 12 months earlier.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutions - second round offer to other security holders - all offers at the same price.</p>
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Rule Number	7.1
Date	28/10/2009
ASX Code	SFP
Listed Company	SAFETY MEDICAL PRODUCTS LIMITED
Waiver Number	WLC090578-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Safety Medical Products Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary which permits the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of ordinary fully paid shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 which permits the making of such offers without a disclosure document (the "SPP"), on the following conditions:</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP is no greater than 20 per cent of the Company's average share price over the last 5 trading days on which sales in the Company's shares were recorded either before the day on which the issue is first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP is not greater than 30 per cent of the number of fully paid ordinary shares already on issue.
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 per cent of the securities on issue 12 months earlier.</p> <p>Present Application ASIC Class Order 09/425 contemplates the issue of not more than \$15,000 worth of securities under a security purchase plan without a PDS - all security holders able to participate on equal terms - company's proposed SPP within spirit of exception 15 of listing rule 7.2 - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80 per cent of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP.</p>

Rule Number	7.3.2
Date	20/10/2009
ASX Code	RXM
Listed Company	REX MINERALS LIMITED
Waiver Number	WLC090576-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Rex Minerals Limited (the "Company") a waiver from listing rule 7.3.2 to the extent necessary to permit the Company's notice of annual general meeting seeking shareholder approval for the issue of up to 1,894,308 ordinary shares to Greenstone Property Pty Ltd ("Second Tranche Shares") to state that the shares will be issued more than 3 months after the date of the annual general meeting, on the following conditions:</p> <ol style="list-style-type: none"> 1. The Second Tranche Shares are issued no later than 6 months from the date of the annual general meeting. 2. The Company releases the terms of the waiver to the market immediately.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 7.1 purposes - statement that securities will be issued within three months of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p> <p>Present Application Issue of securities to be issued to drilling services provider in two tranches - second tranche of shares as part of the consideration issued to drilling services provider to be issued up to 6 months after date of annual general meeting - notice of meeting despatched to shareholders prior to waiver being sought - notice of meeting stated that securities to be issued within 3 months subject to waiver and if waiver not obtained securities to be issued as allowed by the listing rules - reasonable for Company to be able to seek shareholder approval for the issue of all tranches to drilling services provider at one meeting.</p>

Rule Number	7.3.8
Date	23/10/2009
ASX Code	CSS
Listed Company	CLEAN SEAS TUNA LIMITED
Waiver Number	WLC090543-001
Decision	<p>1. Subject to resolution 2 and based solely on the information provided, ASX Limited ("ASX") grants Clean Seas Tuna Limited (the "Company") a waiver from listing rules 7.3.8 and 14.11 to the extent necessary to permit the Company not to comply with the voting exclusion statement in relation to</p> <p>(a) the resolution to approve for the purpose of listing rule 7.1, the issue of 137,683,120 shares ("Tranche 2 Placement Shares") in the Notice of Annual General Meeting ("Placement Resolution"); and</p> <p>(b) the resolution to approve for the purpose of listing rule 7.1, the issue of up to 48,000,000 shares pursuant to a non-underwritten share purchase plan ("Share Purchase Plan Shares") in the Notice of Annual General Meeting ("SPP Resolution").</p> <p>1.1 So that, in relation to the Placement Resolution, the votes of the following holders of fully paid ordinary shares acting solely in a fiduciary, nominee or custodial capacity ("Nominee Holders") whose votes would otherwise be disregarded need not be disregarded provided that those holders are casting votes on behalf of beneficiaries who</p> <p>(a) do not participate in the Tranche 2 Placement.</p> <p>(b) are not a person who might obtain a benefit (except a benefit solely in the capacity of a holder of ordinary securities) if the Placement Resolution is passed; and</p> <p>(c) are not an associate of any such person.</p> <p>1.2 So that, in relation to the SPP Resolution, the votes of only the following parties ("Excluded Holders") and their associates will be disregarded.</p> <p>(a) a shareholder to whom Tranche 2 Placement Shares are to be issued, and</p> <p>(b) any person with whom the Company has agreed to place any part of the shortfall under the Share Purchase Plan (but not so as to require the disregarding of any votes of any shareholder who has applied or intends to apply for any shortfall under the Share Purchase Plan provided that the Company has not agreed to place a particular number of the shortfall shares to that shareholder); and</p> <p>(c) any person who might obtain a benefit, expect a benefit solely in the capacity of a holder of shares, if the resolution is passed and their respective associates; however, the votes cast by Nominee Holders on behalf of underlying beneficiaries who are not Excluded Holders, and their associates, need not be disregarded.</p> <p>2. Resolution 1 is subject to the following conditions</p> <p>2.1 in respect of the Tranche 2 Placement the beneficiaries provide written confirmation to the Nominee Holders that they will not participate in the Tranche 2 Placement, and are not an associate of a person who participated in the Placement.</p> <p>2.2 in respect of the Share Purchase Plan, the beneficiaries provide written confirmation to the Nominee Holders that they are not Excluded Holders.</p> <p>2.3 the beneficiaries direct the Nominee Holders to vote for or</p>

Register of ASX Listing Rule Waivers

	<p>against the resolutions in respect of the Tranche 2 Placement and Share Purchase Plan.</p> <p>2.4 the Nominee Holders do not exercise discretion in casting a vote on behalf of the beneficiaries.</p> <p>2.5 the terms of the waiver are released to the market no later than the time at which the Notice of Meeting for the Company's Annual General Meeting is given to ASX.</p> <p>3. The waiver in resolutions 1 and 2 is conditional on the Company disclosing the scale back policy that will be applied in the event of oversubscriptions to the SPP, and the allocation policy for dealing with application for the shortfall from the SPP in the event that there is a shortfall under the SPP.</p>
Basis For Decision	

Rule Number	7.40
Date	20/10/2009
ASX Code	API
Listed Company	AUSTRALIAN PHARMACEUTICAL INDUSTRIES LIMITED
Waiver Number	WLC090540-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Australian Pharmaceutical Industries Limited (the "Company"), the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$150 million by way of a placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of securities (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1.1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>1.2. In resolution 1.1, the Company may ignore changes in security holdings which occur after the announcement of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the announcement). In respect of security holdings registered in the name of a nominee the following will apply.</p> <p>1.2.1 The nominee shall be treated as a separate security holder in respect of securities held for each of one or more Institutional Security holders, and securities held for persons other than Institutional Security holders (and accordingly, may receive both Institutional Entitlement Offers in respect of securities held as nominee for Institutional Security holders and Retail Entitlement Offers in respect of securities held as nominee for other persons).</p> <p>1.2.2 Institutional Entitlement Offers will be treated as being made to the nominee, even where made directly to the Institutional Security holder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Prescribes timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutional holders - waiver granted on condition that the timetable is acceptable to ASX.</p>

Rule Number	7.40
Date	27/10/2009
ASX Code	CSR
Listed Company	CSR LIMITED
Waiver Number	WLC090549-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants CSR Limited (the "Company") a waiver from the following listing rules to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$375 million by way of an accelerated renounceable pro rata entitlement offer of the Company's ordinary shares (the "Entitlement Offer"), without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. In respect of the Entitlement Offer:</p> <p>1.1 Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>1.2. In resolution 1.1, the Company may ignore changes in shareholdings which occur after the imposition of the trading halt in the Company's shares (other than registrations of transactions which were effected through ITS before commencement of the trading halt).</p>
Basis For Decision	<p>Underlying Policy Prescribes the timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - waiver granted on condition that the timetable is acceptable to ASX.</p>

Rule Number	7.40
Date	26/10/2009
ASX Code	IIF
Listed Company	ING INDUSTRIAL FUND
Waiver Number	WLC090558-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants ING Industrial Fund (the "Fund"), the following waivers and confirmations to the extent necessary to permit the Fund to undertake a capital raising to raise approximately \$700 million by way of an institutional placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of ordinary units ("Securities") (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rule 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Fund, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlements Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>2. In resolution 1, the Fund may ignore changes in security holdings which occur after the announcement of the trading halt in the Fund's securities (other than registrations of transactions which were effected through ITS before the announcement). In respect of security holdings registered in the name of a nominee the following will apply.</p> <p>2.1. The nominee shall be treated as a separate security holder in respect of securities held for each of one or more Institutional Securityholders, and securities held for persons other than Institutional Securityholders (and accordingly, may receive both Institutional Entitlement Offers in respect of securities held as nominee for Institutional Securityholders and Retail Entitlement Offers in respect of securities held as nominee for other persons).</p> <p>2.2. Institutional Entitlement Offers will be treated as being made to the nominee, even where made directly to the Institutional Securityholder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Prescribes timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	7.40
Date	16/10/2009
ASX Code	LYC
Listed Company	LYNAS CORPORATION LIMITED
Waiver Number	WLC090562-002
Decision	<p>1. Based solely on the information provided ASX Limited ("ASX") grants Lynas Corporation Limited (the "Company") the following waivers and confirmations to permit the Company to undertake a capital raising to raise approximately \$440 million by way of placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1.1. In respect of the Entitlement Offer:</p> <p>1.1.1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the commencement of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>1.1.2. In resolution 1.1.1, the Company may ignore changes in shareholdings which occur after the implementation of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the implementation of the trading halt). In respect of shareholdings registered in the name of a nominee the following will apply.</p> <p>(a) The nominee shall be treated as a separate shareholder in respect of Shares held for each of one or more Institutional Shareholders, and Shares held for persons other than Institutional Shareholders (and accordingly, may receive both Institutional Offers in respect of Shares held as nominee for Institutional Shareholders and Retail Offers in respect of Shares held as nominee for other persons).</p> <p>(b) Institutional Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Prescribes timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	7.40
Date	27/10/2009
ASX Code	MMG
Listed Company	MACQUARIE MEDIA GROUP
Waiver Number	WLC090564-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Macquarie Media Trust, Macquarie Media Holdings Limited and Macquarie Media International Limited, together stapled and trading as Macquarie Media Group (the "Group"), waivers from the following listing rules, and gives the following confirmations, to the extent necessary to permit the Group to undertake a capital raising to raise approximately \$285 million by way of an accelerated renounceable pro rata entitlement offer of the Group's stapled securities (the "Entitlement Offer").</p> <p>2. In respect of the Entitlement Offer:</p> <p>2.1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Group, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the open of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>3. In resolution 2, the Group may ignore changes in securityholdings which occur after the imposition of the trading halt in the Group's stapled securities (other than registrations of transactions which were effected through ITS before the commencement of the trading halt).</p>
Basis For Decision	<p>Underlying Policy Prescribes the timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - waiver granted on condition that the timetable is acceptable to ASX.</p>

Rule Number	7.40
Date	29/10/2009
ASX Code	PRG
Listed Company	PROGRAMMED MAINTENANCE SERVICES LIMITED
Waiver Number	WLC090581-003
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Programmed Maintenance Services Limited (the "Company"), the following waivers and confirmations to permit the Company to undertake a capital raising to raise approximately \$60 million by way of an accelerated non-renounceable entitlement offer of ordinary shares (the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Waivers from listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the commencement of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>2. In resolution 1, the Company may ignore changes in shareholdings which occur after the implementation of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the implementation of the trading halt).</p>
Basis For Decision	<p>Underlying Policy Prescribes timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	7.40
Date	20/10/2009
ASX Code	RXM
Listed Company	REX MINERALS LIMITED
Waiver Number	WLC090577-002
Decision	<p>Based solely on the information provided ASX Limited ("ASX") grants Rex Minerals Limited (the "Company") the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$30 million by way of an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 3.20.2 and 7.40 to permit the record date for the Entitlement Offer not to be 7 business days after the announcement of the Entitlement Offer but in accordance with a timetable submitted by the Company, on the condition that the record date for the Entitlement Offer is no earlier than the fourth business day after the date the trading halt for the Entitlement Offer commences, including that date, provided that the trading halt commences before the commencement of trading on that day, and all other aspects of the timetable for the Entitlement Offer are acceptable to ASX.</p> <p>2. In resolution 1, the Company may ignore changes in shareholdings which occur after the implementation of the trading halt in the Company's securities (other than registrations of transactions which were effected through ITS before the implementation of the trading halt). In respect of shareholdings registered in the name of a nominee the following will apply.</p> <p>2.1. The nominee shall be treated as a separate shareholder in respect of Shares held for each of one or more Institutional Shareholders, and Shares held for persons other than Institutional Shareholders (and accordingly, may receive both Institutional Offers in respect of Shares held as nominee for Institutional Shareholders and Retail Offers in respect of Shares held as nominee for other persons).</p> <p>2.2. Institutional Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p>
Basis For Decision	<p>Underlying Policy Prescribes timetable for various corporate actions including pro rata issue (Appendix 7A, paragraph 3) - maintains orderly market.</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

Rule Number	10.11
Date	14/10/2009
ASX Code	ACS
Listed Company	ACCENT RESOURCES NL
Waiver Number	WLC090538-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Accent Resources NL (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining security holder approval, to issue up to \$15,000 worth of ordinary fully paid shares to each security holder, including related parties, who subscribes under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP is no greater than 20% of the Company's average security price over the last 5 trading days either before the day on which the issue was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only un-associated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC class order 09/425 contemplates issue of not more than \$15,000 worth of securities under a security purchase plan without a PDS - all security holders able to participate on equal terms - listing rule 10.12 exception 8 intended to permit director participation in security purchase plan - Company share purchase plan within spirit of the exception.</p>

Rule Number	10.11
Date	20/10/2009
ASX Code	API
Listed Company	AUSTRALIAN PHARMACEUTICAL INDUSTRIES LIMITED
Waiver Number	WLC090540-004
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Australian Pharmaceutical Industries Limited (the "Company"), the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$150 million by way of a placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of securities (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without security holder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1. On or before the record date, security holders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Security Holder") may be invited by the Company to subscribe for a number of securities equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.2. Entitlements not taken up by Institutional Security Holders under the Institutional Entitlement Offer, and, if the underwriter to the Entitlement Offer determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Security Holders (including such investors who are not security holders as at the record date) through a bookbuild process conducted and completed on or before the record date ("Institutional Bookbuild").</p> <p>1.3. Institutional Security Holders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.4. All security holders, other than security holders who receive an offer in the Institutional Entitlement Offer and Foreign Excluded Investors ("Retail Security Holders"), are offered a number of securities equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.5. Securities are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide (sub) underwriting arrangements and the terms of the (sub) underwriting are included in the offer documents to be sent to all security holders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price -- related parties do not participate beyond pro rata allocations except under disclosed underwriting commitments.</p>
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Rule Number	10.11
Date	16/10/2009
ASX Code	BLZ
Listed Company	BLAZE INTERNATIONAL LIMITED
Waiver Number	WLC090541-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Blaze International Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the SPP Offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	16/10/2009
ASX Code	CHO
Listed Company	CHOISEUL INVESTMENTS LIMITED
Waiver Number	WLC090542-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Choiseul Investments Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	28/10/2009
ASX Code	CLY
Listed Company	CLANCY EXPLORATION LIMITED
Waiver Number	WLC090551-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Clancy Exploration Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan ("SPP") in accordance with Australian Securities and Investments Commission ("ASIC") Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered \$15,000 worth of shares on the following conditions.</p> <ol style="list-style-type: none"> 1. The issue price of the shares offered under the SPP will be at least 80% of the Company's average share price over the last 5 trading days before the day on which the issue was made under the SPP. 2. The number of shares to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only un-associated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a SPP without a prospectus - all shareholders able to participate on equal terms- the offer under the SPP is not less than 80% of the average market price for securities in that class - within exception 8 of the listing rule 10.12 - within spirit of exception to allow related party participation - overall cap of 30 % of issued capital must still be observed to limit dilution.</p>

Rule Number	10.11
Date	16/10/2009
ASX Code	CQT
Listed Company	CONQUEST MINING LIMITED
Waiver Number	WLC090546-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Conquest Mining Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan ("SPP") in accordance with Australian Securities and Investments Commission ("ASIC") Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered \$15,000 worth of shares on the following conditions.</p> <ol style="list-style-type: none"> 1. The issue price of the shares offered under the SPP will be at least 80% of the Company's average share price over the last 5 trading days before the day on which the issue was made under the SPP. 2. The number of shares to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only un-associated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a SPP without a prospectus - all shareholders able to participate on equal terms- the offer under the SPP is not less than 80% of the average market price for securities in that class - within exception 8 of the listing rule 10.12 - within spirit of exception to allow related party participation - overall cap of 30 % of issued capital must still be observed to limit dilution.</p>

Rule Number	10.11
Date	16/10/2009
ASX Code	CSE
Listed Company	COPPER STRIKE LIMITED
Waiver Number	WLC090548-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Copper Strike Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, (excluding underwriters) who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions:</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only un-associated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC class order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all security holders able to participate on equal terms - pricing of SPP in accordance with exception 8 of listing rule 10.12, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP - waiver granted</p>

Rule Number	10.11
Date	27/10/2009
ASX Code	CSR
Listed Company	CSR LIMITED
Waiver Number	WLC090549-004
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants CSR Limited (the "Company") waivers from the following listing rules, to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$375 million by way of an accelerated renounceable pro rata entitlement offer of the Company's ordinary shares (the "Entitlement Offer"), without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>(a) On or before the record date, shareholders who are believed by the Company or the underwriters to the Entitlement Offer to be persons to whom offers of ordinary shares may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholder") may be invited by the Company to subscribe for a number of ordinary shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(b) Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>(c) All shareholders, other than shareholders who received an offer in the Institutional Entitlement Offer and Foreign Excluded Investors, are offered a number of ordinary shares equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer ("Retail Foreign Excluded Investors").</p> <p>(d) Entitlements not taken up in the Institutional Entitlement Offer and Retail Entitlement Offer, and, if the underwriters determine, entitlements which would have been offered to investors who have been excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed immediately following the close of the Retail Offer.</p> <p>(e) Shares are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>(f) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protects security holders' interests by supplementing the related party provisions of the Corporations Act.</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price - related parties do not participate beyond pro rata allocations except as nominee.</p>
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Rule Number	10.11
Date	28/10/2009
ASX Code	DML
Listed Company	DISCOVERY METALS LIMITED
Waiver Number	WLC090550-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Discovery Metals Limited (the "Company") waivers from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribes under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP Offer"), on the following conditions.</p> <p>1. The issue price at which the shares are offered under the SPP Offer is at least the lower of the following.</p> <p>1.1 The price of the shares issued under the placement announced by the Company on 23 October 2009.</p> <p>1.2 80% of the Company's average share price over the last 5 trading days on which sales in the Company's shares were recorded either before the day on which the issue was first announced or before the day on which the issue is made under the SPP Offer.</p> <p>2. The number of shares to be issued under the SPP Offer is not greater than 30% of the number of fully paid ordinary shares already on issue.</p>
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all security holders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP Offer within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	20/10/2009
ASX Code	EAL
Listed Company	E & A LIMITED
Waiver Number	WLC090552-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants E & A Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary which permits the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of ordinary fully paid shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 which permits the making of such offers without a disclosure document (the "SPP"), on the following conditions:</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP is no greater than 20 per cent of the Company's average share price over the last 5 trading days on which sales in the Company's shares were recorded either before the day on which the issue is first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP is not greater than 30 per cent of the number of fully paid ordinary shares already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates the issue of not more than \$15,000 worth of securities under a share purchase plan without a PDS - all shareholders are able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	19/10/2009
ASX Code	ESG
Listed Company	EASTERN STAR GAS LIMITED
Waiver Number	WLC090553-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Eastern Star Gas Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	26/10/2009
ASX Code	IIF
Listed Company	ING INDUSTRIAL FUND
Waiver Number	WLC090558-004
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants ING Industrial Fund (the "Fund"), the following waivers and confirmations to the extent necessary to permit the Fund to undertake a capital raising to raise approximately \$700 million by way of an institutional placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of ordinary units ("Securities") (the "Entitlement Offer"), without security holder approval and according to the timetable submitted to ASX.</p> <p>1.1. Listing rule 7.1 and 10.11 to the extent necessary to permit the Fund to conduct the Entitlement Offer without security holder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1.1. On or before the record date, security holders who are believed by the Fund or the underwriters to the Entitlement Offer to be persons to whom offers of securities may be made without a product disclosure statement in accordance with Part 7.9 of the Corporations Act 2001 (Cth) ("Institutional Securityholder") may be invited by the Fund to subscribe for a number of securities equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.1.2. Entitlements not taken up by Institutional Securityholders under the Institutional Entitlement Offer, and, if the underwriters to the Entitlement Offer determine, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Securityholders (including such investors who are not security holders as at the record date) through a bookbuild process conducted and completed on or before the record date ("Institutional Bookbuild").</p> <p>1.1.3. Institutional Securityholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.1.4. All security holders, other than security holders who receive an offer in the Institutional Entitlement Offer and Foreign Excluded Investors ("Retail Security Holders"), are offered a number of securities equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer ("Retail Foreign Excluded Investors").</p> <p>1.1.5. Securities are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>1.1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all security holders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price -- related parties do not participate beyond pro rata allocations except under disclosed underwriting commitments.</p>
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Rule Number	10.11
Date	16/10/2009
ASX Code	IGR
Listed Company	INTEGRA MINING LIMITED
Waiver Number	WLC090560-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Integra Mining Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered up to \$5,000 worth of shares (the "SPP") on the following conditions:</p> <ol style="list-style-type: none"> 1. The issue price at which the securities are offered is at least the lower of the following. <ol style="list-style-type: none"> 1.1. The price of shares issued under the placement announced by the Company on 7 October 2009. 1.2. 80% of the Company's average share price over the last 5 days on which sales in the Company's shares are recorded either before the day on which the offer was first announced or before the day on which the issue is made under the SPP. 2. The total number of shares that may be issued in reliance on this waiver under all share purchase plans undertaken by the Company during the 12 months after the record date for the share purchase plan undertaken in February 2009 (the "February Share Purchase Plan") must not be greater than 30% of the number of fully paid shares on issue as at the record date of the February Share Purchase Plan.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus -- in the last 12 months Company has already issued \$5,000 worth of securities to holders under an SPP - proposed SPP to be capped at \$5,000 per holder in order not to exceed \$15,000 - all shareholders able to participate on equal terms - pricing of SPP in accordance with exception 15 of listing rule 7.2, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP- overall cap of 30% of issued capital must still be observed to limit dilution - 30% limit based on the number of securities on issue at the record date of the previous SPP during the 12 month period - listing rule 10.12 exception 8 intended to permit director participation in security purchase plan - within spirit of exception.</p>

Rule Number	10.11
Date	15/10/2009
ASX Code	LNG
Listed Company	LIQUEFIED NATURAL GAS LIMITED
Waiver Number	WLC090561-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Liquefied Natural Gas Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the SPP Offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	16/10/2009
ASX Code	LYC
Listed Company	LYNAS CORPORATION LIMITED
Waiver Number	WLC090562-004
Decision	<p>1. Based solely on the information provided ASX Limited ("ASX") grants Lynas Corporation Limited (the "Company") the following waivers to permit the Company to undertake a capital raising to raise approximately \$440 million by way of placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1.1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>(a) On or before the record date, shareholders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholders") may be invited by the Company to subscribe for a number of Shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(b) Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the underwriter to the Entitlement Offer determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed on or before the record date.</p> <p>(c) Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>(d) All shareholders, other than shareholders who receive an offer in the Institutional Offer and Foreign Excluded Investors, are offered a number of Shares equal to their pro rata allocations of the Entitlement Offer ("Retail Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(e) Shares are offered under the Institutional Offer and Retail Offer at the same price.</p> <p>(f) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutions - second round offer to other security holders - all offers at the same price - related parties do not participate beyond pro rata allocations except under disclosed underwriting commitments.</p>
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Rule Number	10.11
Date	27/10/2009
ASX Code	MMG
Listed Company	MACQUARIE MEDIA GROUP
Waiver Number	WLC090564-004
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Macquarie Media Trust, Macquarie Media Holdings Limited and Macquarie Media International Limited, together stapled and trading as Macquarie Media Group (the "Group"), waivers from the following listing rules, and gives the following confirmations, to the extent necessary to permit the Group to undertake a capital raising to raise approximately \$285 million by way of an accelerated renounceable pro rata entitlement offer of the Group's stapled securities (the "Entitlement Offer").</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Group to conduct the Entitlement Offer without securityholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>(a) On or before the record date, securityholders who are believed by the Group or the underwriters to the Entitlement Offer to be persons to whom offers of stapled securities may be made without a prospectus in accordance with Chapter 6D and Part 7.9 of the Corporations Act 2001 ("Institutional Shareholder") may be invited by the Group to subscribe for a number of stapled securities equal to their pro rata allocation of the Entitlement Offer ("Institutional Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>(b) Institutional Securityholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>(c) All securityholders, other than securityholders who received an offer in the Institutional Entitlement Offer and Foreign Excluded Investors, are offered a number of stapled securities equal to their pro rata allocations of the Entitlement Offer ("Retail Entitlement Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer ("Retail Foreign Excluded Investors").</p> <p>(d) Entitlements not taken up in the Institutional Entitlement Offer and Retail Entitlement Offer, and, if the underwriters determine, entitlements which would have been offered to investors who have been excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to Institutional Securityholders (including such investors who are not securityholders as at the record date) through a bookbuild process conducted and completed immediately following the close of the Retail Offer.</p> <p>(e) Stapled securities are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>(f) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all securityholders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act.</p> <p>Present Application Accelerated entitlement offer - functionally equivalent to renounceable pro rata offer - first round offer to institutional holders - second round offer to retail holders - all offers at the same price - related parties do not participate beyond pro rata allocations except as nominee.</p>
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Rule Number	10.11
Date	22/10/2009
ASX Code	MEU
Listed Company	MARMOTA ENERGY LIMITED
Waiver Number	WLC090566-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Marmota Energy Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	30/10/2009
ASX Code	MSF
Listed Company	MARYBOROUGH SUGAR FACTORY LIMITED (THE)
Waiver Number	WLC090565-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants The Maryborough Sugar Factory Limited (the "Company") waivers from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribes under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 to permit the making of such offers without a disclosure document (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last five days on which sales in the Company's shares were recorded either before the day on which the issue was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP Offer is not greater than 30% of the number of fully paid ordinary shares already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP Offer within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	23/10/2009
ASX Code	MOL
Listed Company	MOLY MINES LIMITED
Waiver Number	WLC090567-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Moly Mines Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <p>1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the SPP Offer was first announced or before the day on which the issue was made.</p> <p>2. The number of securities to be issued under the SPP Offer is not greater than 30% of the number of fully paid ordinary securities already on issue.</p>
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	28/10/2009
ASX Code	PIE
Listed Company	PIENETWORKS LIMITED
Waiver Number	WLC090569-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants pieNETWORKS Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "SPP Offer"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP Offer is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	27/10/2009
ASX Code	PMC
Listed Company	PLATINUM CAPITAL LIMITED
Waiver Number	WLC090570-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Platinum Capital Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	23/10/2009
ASX Code	PLV
Listed Company	PLUTON RESOURCES LIMITED
Waiver Number	WLC090571-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Pluton Resources Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with ASIC Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The number of securities to be issued under the Plan is not greater than 30% of the number of fully paid ordinary securities already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all shareholders able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.11
Date	27/10/2009
ASX Code	PRY
Listed Company	PRIMARY HEALTH CARE LIMITED
Waiver Number	WLC090573-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Primary Health Care Limited (the "Company") a waiver from listing rule 10.11 to the extent necessary to permit the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of shares related parties, who subscribe under a share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The discount offered under the Plan is no greater than 20% of the Company's average share price over the last 5 days on which sales in the Company's shares were recorded either before the day on which the offer was first announced or before the day on which the issue was made. 2. The total number of shares that may be issued in reliance on this waiver under all share purchase plans undertaken by the Company during the 12 months after the record date for the share purchase plan undertaken in May 2009 (the "May Share Purchase Plan") must not be greater than 30% of the number of fully paid shares on issue as at the record date of the May Share Purchase Plan.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of securityholders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated securityholders' votes are counted - protect securityholders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - in the last 2 months Company has already offered up to \$15,000 worth of securities to holders under an SPP - shareholders cannot participate beyond the \$15,000 cap in the proposed SPP - all shareholders able to participate on equal terms - pricing of SPP in accordance with exception 8 of listing rule 10.12, no lower than 80% of the Company's average share price over the last 5 trading days before the day on which the issue is announced or made under the SPP - overall cap of 30% of issued capital must still be observed to limit dilution - 30% limit based on the number of securities on issue at the record date of the previous SPP during the 12 month period - listing rule 10.12 exception 8 intended to permit director participation in security purchase plan - within spirit of exception.</p>

Rule Number	10.11
Date	29/10/2009
ASX Code	PRG
Listed Company	PROGRAMMED MAINTENANCE SERVICES LIMITED
Waiver Number	WLC090581-004
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Programmed Maintenance Services Limited (the "Company"), the following waivers and confirmations to permit the Company to undertake a capital raising to raise approximately \$60 million by way of an accelerated non-renounceable entitlement offer of ordinary shares (the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Waivers from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1. On or before the record date, shareholders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholders") may be invited by the Company to subscribe for a number of shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.2. Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the underwriter determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed on or before the record date.</p> <p>1.3. Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.4. All shareholders, other than shareholders who receive an offer in the Institutional Offer and Foreign Excluded Investors, are offered a number of shares equal to their pro rata allocations of the Entitlement Offer ("Retail Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>15. Shares are offered under the Institutional Offer and Retail Offer at the same price.</p> <p>1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutions - second round offer to other security holders - all offers at the same price - related parties do not participate beyond pro rata allocations except under disclosed underwriting commitments.</p>
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Rule Number	10.11
Date	29/10/2009
ASX Code	PHG
Listed Company	PULSE HEALTH LIMITED
Waiver Number	WLC090574-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Pulse Health Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under a share purchase plan ("SPP") in accordance with Australian Securities and Investments Commission ("ASIC") Class Order 09/425 pursuant to which each shareholder (including related parties) will be offered \$15,000 worth of shares on the following conditions.</p> <p>1. The issue price of the shares offered under the SPP will be at least the lower of the following.</p> <p>1.1. The issue price of the shares issued under the placement announced on 8 October 2009, 6 cents.</p> <p>1.2. 80% of the Company's average share price over the last 5 trading days on which sales were recorded, either before the day on which the SPP was announced or on which the shares were issued under the SPP.</p> <p>2. The number of shares to be issued under the SPP is not greater than 30% of the number of fully paid ordinary shares already on issue.</p>
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only un-associated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application 9. ASIC Class Order 09/425 contemplates issue of not more than \$15,000 worth of securities under a share purchase plan without a prospectus - all securityholders able to participate on equal terms - proposed terms of SPP such that pricing may mean that the Company does not have the benefit of exception 8 of listing rule 10.12 - proposed terms of SPP such that pricing of securities under SPP will be the price of shares issued under a placement and to be issued under a further placement, which may be lower than 80% of average security price over the last 5 trading days before the day on which the issue is made under the SPP - exception 8 of listing rule 10.12 requires that the issue price be no lower than 80% of the 5 day market price prior to the date of issue of the securities or the announcement of SPP - in the interests of fairness, smaller holders to receive securities as participants in the placement.</p>

Rule Number	10.11
Date	20/10/2009
ASX Code	RXM
Listed Company	REX MINERALS LIMITED
Waiver Number	WLC090577-004
Decision	<p>Based solely on the information provided ASX Limited ("ASX") grants Rex Minerals Limited (the "Company") the following waivers and confirmations to the extent necessary to permit the Company to undertake a capital raising to raise approximately \$30 million by way of an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rules 7.1 and 10.11 to the extent necessary to permit the Company to conduct the Entitlement Offer without shareholder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.1. On or before the record date, shareholders who are believed by the Company or the underwriter to the Entitlement Offer to be persons to whom offers of securities may be made without a prospectus in accordance with Chapter 6D of the Corporations Act 2001 ("Institutional Shareholders") may be invited by the Company to subscribe for a number of Shares equal to their pro rata allocation of the Entitlement Offer ("Institutional Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.2. Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the underwriter to the Entitlement Offer determines, entitlements which would have been offered to investors excluded under listing rule 7.7.1 (the "Foreign Excluded Investors") are offered to other Institutional Shareholders (including such investors who are not shareholders as at the record date) through a bookbuild process conducted and completed on or before the record date.</p> <p>1.3. Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.4. All shareholders, other than shareholders who receive an offer in the Institutional Offer and Foreign Excluded Investors, are offered a number of Shares equal to their pro rata allocations of the Entitlement Offer ("Retail Offer"), unless listing rule 7.7.1 would permit the holder not to be included in the pro rata offer.</p> <p>1.5. Shares are offered under the Institutional Offer and Retail Offer at the same price.</p> <p>1.6. Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.</p>

Register of ASX Listing Rule Waivers

Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application Accelerated non-renounceable entitlement offer - functionally equivalent to non-renounceable pro rata offer - first round offer to institutions - second round offer to other security holders - all offers at the same price - related parties do not participate beyond pro rata allocations except under disclosed underwriting commitments.</p>
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Rule Number	10.11
Date	28/10/2009
ASX Code	SFP
Listed Company	SAFETY MEDICAL PRODUCTS LIMITED
Waiver Number	WLC090578-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Safety Medical Products Limited (the "Company") a waiver from listing rules 7.1 and 10.11 to the extent necessary which permits the Company, without obtaining shareholder approval, to issue up to \$15,000 worth of ordinary fully paid shares to each shareholder, including related parties, who subscribe under a share purchase plan in accordance with the Australian Securities and Investments Commission Class Order 09/425 which permits the making of such offers without a disclosure document (the "SPP"), on the following conditions:</p> <ol style="list-style-type: none"> 1. The discount offered under the SPP is no greater than 20 per cent of the Company's average share price over the last 5 trading days on which sales in the Company's shares were recorded either before the day on which the issue is first announced or before the day on which the issue was made. 2. The number of securities to be issued under the SPP is not greater than 30 per cent of the number of fully paid ordinary shares already on issue.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related parties - directed at preventing related parties obtaining securities on advantageous terms and increasing their holding proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions of the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application ASIC Class Order 09/425 contemplates the issue of not more than \$15,000 worth of securities under a share purchase plan without a PDS - all shareholders are able to participate on equal terms - exception 8 of listing rule 10.12 intended to permit director participation in share purchase plans - SPP within spirit of exception 8 of listing rule 10.12.</p>

Rule Number	10.13.3
Date	27/10/2009
ASX Code	ABU
Listed Company	ABM RESOURCES NL
Waiver Number	WLC090536-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants ABM Resources NL (the "Company") a waiver from listing rule 10.13.3 to the extent necessary to permit the notice of meeting seeking shareholders' approval for the issue of securities to Ochre Holdings Pty Ltd in connection with the acquisition of tenements from Tanami Exploration NL (the "Notice") (the "Acquisition"), to state that the issues of</p> <ol style="list-style-type: none"> 1. 50,000,000 fully paid ordinary shares in the Company; 2. 15,000,000 unlisted options exercisable at \$0.01 within 4 years after the issue date; and 3. 500,000,000 unlisted options to acquire Shares exercisable at \$0.015 each within 5 years after the issue date <p>(together, the "Ochre Securities") will occur later than 1 month after the date of the general meeting, on the following conditions.</p> <ol style="list-style-type: none"> 4. The Ochre Securities are issued no later than 30 January 2010. 5. The Company releases the terms of the waiver to the market immediately.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement that securities will be issued within one month of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p> <p>Present Application Securities to be issued to a related party in connection with an acquisition - securities cannot be issued until completion of acquisition agreement - conditions to be satisfied by 30 December 2009 or such later date as agreed between parties - certain conditions for the completion of the acquisition agreement outside the control of the Company, including receipt of regulatory approvals and consents from native title and Aboriginal land rights holders - meeting to be held to approve issue of securities - waiver granted to permit company to seek shareholder approval to issue securities to related party following satisfaction of conditions precedent to acquisition agreement - extension of time is approximately 5 weeks - extension not excessive in context of transaction.</p>

Rule Number	10.13.3
Date	22/10/2009
ASX Code	CMI
Listed Company	CMI LIMITED.
Waiver Number	WLC090544-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants CMI Limited (the "Company") a waiver from listing rule 10.13.3 to the extent necessary to permit the notice of meeting seeking shareholder approval for the participation of directors of the Company in the shortfall (the "Shortfall Facility") of a rights issue (the "Rights Issue") to raise funds to repay a loan facility drawn down to fund a capital reduction in respect of converting preference class A shares in the Company (the "Capital Reduction") (the "EGM Notice"), to state that those securities will be issued later than one month after the date of the shareholder meeting, subject to the following conditions.</p> <p>1.1. Shareholder approval is obtained for the Capital Reduction. 1.2. The securities are issued to the directors of the Company under the Shortfall Facility within three months of shareholder approval being obtained for director participation in the Shortfall Facility, and in any event, no later than 28 February 2010. 1.3. The securities are issued on the same terms as the securities issued to unrelated parties participating in Shortfall Facility. 1.4. Full details of the Capital Reduction and Rights Issue are set out to ASX's satisfaction in the final versions of the EGM Notice and notice of annual general meeting. 1.5. The Company releases the terms of the waiver to the market immediately.</p>
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement that securities will be issued within one month of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p> <p>Present Application Securities to be issued to directors who participate in rights issue shortfall with shareholder approval to be sought at annual general meeting - capital reduction also being undertaken - rights issue to repay loan facility drawn down to fund capital reduction - shareholder approval for director participation in shortfall to be sought one week after shareholder approval sought for capital reduction - requirement for rights issue contingent upon capital reduction being approved - Corporations Act requirement to provide one month after capital reduction approved to allow for objections before capital reduction is undertaken - Corporations Act requirement for annual general meeting to be held within five months of end of financial year of a public company - not practicable for securities to be issued within one month of shareholder approval - rights issue to be completed within three months of shareholder approval for director participation in shortfall-maximum securities to be issued will be known - adequate disclosure of transaction in notices of meeting - unlikely to be any undue benefit to related parties arising from delay - waiver granted.</p>

Rule Number	10.13.3
Date	28/10/2009
ASX Code	CQU
Listed Company	COMMQUEST LTD
Waiver Number	WLC090545-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Commquest Limited (the "Company") a waiver from listing rule 10.13.3 to the extent necessary to permit the Company's notice of meeting seeking shareholder approval for the conversion of unpaid note interest on convertible notes (compounded until the end of the note term) to state that up to 505,478,689 ordinary shares may be issued upon such conversion(s) to Co-Investor Capital Partners Pty Ltd ("Co-Investor") later than one month after the date of the shareholders' meeting, on the following conditions.</p> <p>1.1 The notice of meeting contains information in relation to the formula by which the Company may issue shares to Co-Investor on conversion of unpaid note interest.</p> <p>1.2 The Company includes in each annual report while ordinary shares which may be issued on conversion of unpaid note interest, a statement setting out the formula for calculating the number of shares which may be issued upon such conversion.</p> <p>1.3 Unpaid note interest on the convertible notes may compound for a maximum period of three months at a time, at the end of which the shares must be issued, or the right of conversion of the interest for that three month period lapses.</p> <p>1.4 In any event, shares which may be issued to Co-Investor on conversion of unpaid note interest on the convertible notes are to be issued no later than 30 November 2012.</p>
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement that securities will be issued within 1 month of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p> <p>Present Application Company's restructure plans rely on reducing debt levels and operating costs - if necessary to preserve cash by not paying interest on convertible notes held by related party investor and issuing shares instead - shareholders are able to consider and vote on the proposal on an informed basis - member approval being sought for related party investor to exceed 20% threshold pursuant to item 7 of Section 611 of the Corporations Act - expert's report on fairness and reasonableness - condition of the waiver that unpaid note interest compound for a maximum of three months before it must be converted to shares - unlikely to be any undue benefit to the related party arising from delay.</p>

Rule Number	10.13.3
Date	23/10/2009
ASX Code	EVG
Listed Company	ENVIROGOLD LIMITED
Waiver Number	WLC090554-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Envirogold Limited (the "Company") a waiver from listing rule 10.13.3 to the extent necessary to permit the Company's notice of meeting (the "Notice") seeking shareholder approval for the issue of up to a maximum 26,750,000 options, expiring 31 December 2011 and an exercise price of \$0.15 ("New Options"), to Brian Johnson, David Tyres and Angela Dent (the "Directors"), to state that the issue of securities will occur later than 1 month after the date of the shareholders' meeting on the following conditions.</p> <ol style="list-style-type: none"> 1. The Notice states that the New Options will be issued no later than 3 months after the date of the shareholders' meeting. 2. The Company releases the terms of the waiver to the market no later than when the Notice is released to the market.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement that securities will be issued within 1 month of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p> <p>Present Application Company undertaking an issue of options to existing option holders who hold options with an expiry of 31 December 2009 - securities to be offered to related parties in capacity as optionholders - related party option holders to participate in the issue on the same terms as other option holders - issue to be made pursuant to a prospectus - Company has chosen to follow the timetable in Appendix 7A of the Listing Rules - not possible to comply with timetable in accordance with Appendix 7A and issue the securities within one month - completion of the issue to related parties to occur concurrently with completion of issue to other option holders - meeting to be held to approve issue - waiver granted to permit securities to be issued to related parties at the same time as securities to be issued to other parties in connection with the issue.</p>

Rule Number	10.13.3
Date	16/10/2009
ASX Code	GEN
Listed Company	GENESIS RESEARCH AND DEVELOPMENT CORPORATION LIMITED
Waiver Number	WLC090555-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Genesis Research and Development Corporation Limited (the "Company") a waiver from listing rules 10.13.3 and 10.13.5 to the extent necessary to permit the Company's notice of meeting (the "Notice") to approve the issue of a maximum of \$70,000 worth of fully paid ordinary shares ("Shares") in lieu of director's fees to Mr Joachim Herbert von Roy, a maximum of \$35,000 worth of Shares each in lieu of director's fees to Dr Andrew Hubert Gearing, Dr Steven Gillis, Mr James Neil McLean and Dr Stewart James Washer (together, the 'Directors') to state that the Shares will be issued later than 1 month after the date of the shareholders' meeting, subject to paragraphs 1 and 2 below.</p> <p>1. The Notice states the following.</p> <p>1.1 The Shares will be issued to the Directors on a bi-annual basis in respect of 6 monthly periods ending 30 June and 31 December of each year that a named Director remains a director.</p> <p>1.2 The number of Shares to be issued to the Directors in respect of any half-year will be calculated by dividing the amount owed to each director in respect of their director's fees for the half year by the volume weighted average trading price of the Company's shares on NZX in the 20 trading day period prior to the issue of the Shares, with any fractions of a share to be rounded down to the nearest whole number; save that if the Director should cease to be a director on a date other than 30 June or 31 December, the calculation of the number of shares to be issued to each director will be performed by substituting the date that the Director ceases to be a director for a reference to 30 June or 31 December.</p> <p>2. The waiver in resolution 1 is subject to the following conditions.</p> <p>2.1 The Company releases the terms of the waiver to the market immediately.</p> <p>2.2 The Company's annual report for any period during which Shares are issued to the Directors discloses details of the securities that were issued to them, including the percentage of the Company's issued capital represented by the Shares issued to the Directors under the terms of the waiver. The Shares are issued within 30 days of the announcement of the Company's interim or annual results. The Shares approved by shareholders may only be issued in respect of entitlements to director's fees accrued by the Directors up to 31 December 2010.</p>
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement that securities will be issued within 1 month of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p>

Register of ASX Listing Rule Waivers

Present Application

Securities to be issued to directors in-lieu of director's fees - securities to be issued at volume weighted average market price of entity's shares over the 20 trading days before the issue occurs - waiver granted on condition that securities are issued within the time frame stipulated and approved by shareholders at the entity's special meeting - annual report discloses details of relevant securities that have been issued - waiver effective only for entitlements to director's fees up to end of next calendar year - potential for dilution limited in time - company must return to shareholders within 12 month period of waiver if it wants to continue to arrangement with directors.

Rule Number	10.13.3
Date	23/10/2009
ASX Code	GLF
Listed Company	GULF RESOURCES LIMITED
Waiver Number	WLC090556-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Gulf Resources Limited (the "Company") a waiver from listing rule 10.13.3 to the extent necessary to permit the Company's Notice of Meeting ("Notice") seeking shareholder approval for the issue of up to a maximum of 7,456,818 options in aggregate exercisable at 10 cents on or before 31 March 2013 ("New Options") to Scott Reid, Wayne Kernaghan and Greg Duncan to state that the issue will take place later than one month from the date of the shareholders' meeting approving the issue, on the following conditions:</p> <ol style="list-style-type: none"> 1. The Notice states that the New Options will be issued no later than 3 months after the date of the shareholders meeting. 2. The Company releases the terms of the waiver to the market no later than the time of the release of the Notice to approve the issue.
Basis For Decision	<p>Underlying Policy Notice of Meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement that securities will be issued within one month of meeting - securities must be issued before approval is stale - approval not vitiated by change in entity's circumstances - provides certainty to security holders.</p> <p>Present Application Company undertaking a placement of options to existing option holders who hold options with an expiry of 31 December 2009 - securities to be offered to related parties in capacity as optionholders - related party option holders to participate in the placement on the same terms as other option holders - placement to be made pursuant to a prospectus - Company has chosen to follow the timetable in Appendix 7A of the Listing Rules - not possible to comply with timetable in accordance with Appendix 7A and issue the securities within one month - completion of the placement to related parties to occur concurrently with completion of placement to other option holders - meeting to be held to approve issue - number of options to be issued to related parties equal to approximately 3.69% of issued capital on a fully diluted basis - waiver granted to permit securities to be issued to related parties at the same time as securities to be issued to other parties in connection with the placement.</p>

Rule Number	10.13.5
Date	16/10/2009
ASX Code	GEN
Listed Company	GENESIS RESEARCH AND DEVELOPMENT CORPORATION LIMITED
Waiver Number	WLC090555-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Genesis Research and Development Corporation Limited (the "Company") a waiver from listing rules 10.13.3 and 10.13.5 to the extent necessary to permit the Company's notice of meeting (the "Notice") to approve the issue of a maximum of \$70,000 worth of fully paid ordinary shares ("Shares") in lieu of director's fees to Mr Joachim Herbert von Roy, a maximum of \$35,000 worth of Shares each in lieu of director's fees to Dr Andrew Hubert Gearing, Dr Steven Gillis, Mr James Neil McLean and Dr Stewart James Washer (together, the "Directors") to state that the Shares will be issued later than 1 month after the date of the shareholders' meeting, subject to paragraphs 1 and 2 below.</p> <p>1. The Notice states the following.</p> <p>1.1 The Shares will be issued to the Directors on a bi-annual basis in respect of 6 monthly periods ending 30 June and 31 December of each year that a named Director remains a director.</p> <p>1.2 The number of Shares to be issued to the Directors in respect of any half-year will be calculated by dividing the amount owed to each director in respect of their director's fees for the half year by the volume weighted average trading price of the Company's shares on NZX in the 20 trading day period prior to the issue of the Shares, with any fractions of a share to be rounded down to the nearest whole number; save that if the Director should cease to be a director on a date other than 30 June or 31 December, the calculation of the number of shares to be issued to each director will be performed by substituting the date that the Director ceases to be a director for a reference to 30 June or 31 December.</p> <p>2. The waiver in resolution 1 is subject to the following conditions.</p> <p>2.1 The Company releases the terms of the waiver to the market immediately.</p> <p>2.2 The Company's annual report for any period during which Shares are issued to the Directors discloses details of the securities that were issued to them, including the percentage of the Company's issued capital represented by the Shares issued to the Directors under the terms of the waiver. The Shares are issued within 30 days of the announcement of the Company's interim or annual results. The Shares approved by shareholders may only be issued in respect of entitlements to director's fees accrued by the Directors up to 31 December 2010.</p>
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of an issue of securities for listing rule 10.11 purposes - statement of issue price - statement of issue price and terms of securities - provides certainty to security holders.</p>

Register of ASX Listing Rule Waivers

Present Application

Formula provided for calculating issue price of securities - securities will be issued at an issue price equal to the volume weighted average of the trading price of the Company's shares in the 20 days preceding the issue - waiver granted to permit entity to state formula for calculating maximum number of securities in the notice of meeting.

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Rule Number	10.15.2
Date	27/10/2009
ASX Code	NAB
Listed Company	NATIONAL AUSTRALIA BANK LIMITED
Waiver Number	WLC090568-001
Decision	Based solely on the information provided, ASX Limited ("ASX") grants National Australia Bank Limited (the "Company") a waiver from listing rule 10.15.2 to the extent necessary to permit the Company's notice of annual general meeting, in relation to the issue of securities under the Company's short term and long term incentive arrangements to executive directors of the Company pursuant to listing rule 10.14, not to state a maximum number of securities that may be issued to those executive directors, on condition that the notice states the method by which the number of securities to be granted is calculated.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of acquisition of securities for listing rule 10.14 purposes - statement of the maximum number of entitlements to be issued - provides certainty to security holders.</p> <p>Present Application Employee incentive scheme - maximum number of securities to be issued based on formula and future security price - maximum number of securities not currently ascertainable - monetary value of incentive arrangements to be disclosed in notice of AGM - waiver granted on condition that notice contains sufficient information about the method of calculating entitlements.</p>

Rule Number	10.15.2
Date	29/10/2009
ASX Code	WBC
Listed Company	WESTPAC BANKING CORPORATION
Waiver Number	WLC090580-001
Decision	Based solely on the information provided, ASX Limited ("ASX") grants Westpac Banking Corporation (the "Company") a waiver from listing rule 10.15.2 to the extent necessary to permit the Company's notice of annual general meeting (the "AGM"), in relation to resolutions seeking shareholder approval pursuant to listing rule 10.14 for the grant of securities under the Company's CEO Restricted Share Plan and the CEO Performance Plan to Mrs Gail Kelly, not to state the maximum number of securities that may be granted to her on condition that the notice of AGM states the method by which the number of securities to be granted is calculated.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of acquisition of securities for listing rule 10.14 purposes - statement of the maximum number of entitlements to be issued - provides certainty to security holders.</p> <p>Present Application Executive incentive scheme - grant of securities to CEO for 2010 to be put to shareholders for approval - maximum number of shares to be granted based on formula and future share price - maximum number not yet ascertainable - notice contains sufficient information about the method of calculating entitlements for shareholders to make an informed decision.</p>

Rule Number	14.11
Date	23/10/2009
ASX Code	CSS
Listed Company	CLEAN SEAS TUNA LIMITED
Waiver Number	WLC090543-002
Decision	<p>1. Subject to resolution 2 and based solely on the information provided, ASX Limited ("ASX") grants Clean Seas Tuna Limited (the "Company") a waiver from listing rules 7.3.8 and 14.11 to the extent necessary to permit the Company not to comply with the voting exclusion statement in relation to</p> <p>(a) the resolution to approve for the purpose of listing rule 7.1, the issue of 137,683,120 shares ("Tranche 2 Placement Shares") in the Notice of Annual General Meeting ("Placement Resolution"); and</p> <p>(b) the resolution to approve for the purpose of listing rule 7.1, the issue of up to 48,000,000 shares pursuant to a non-underwritten share purchase plan ("Share Purchase Plan Shares") in the Notice of Annual General Meeting ("SPP Resolution").</p> <p>1.1 So that, in relation to the Placement Resolution, the votes of the following holders of fully paid ordinary shares acting solely in a fiduciary, nominee or custodial capacity ("Nominee Holders") whose votes would otherwise be disregarded need not be disregarded provided that those holders are casting votes on behalf of beneficiaries who</p> <p>(a) do not participate in the Tranche 2 Placement.</p> <p>(b) are not a person who might obtain a benefit (except a benefit solely in the capacity of a holder of ordinary securities) if the Placement Resolution is passed; and</p> <p>(c) are not an associate of any such person.</p> <p>1.2 So that, in relation to the SPP Resolution, the votes of only the following parties ("Excluded Holders") and their associates will be disregarded.</p> <p>(a) a shareholder to whom Tranche 2 Placement Shares are to be issued, and</p> <p>(b) any person with whom the Company has agreed to place any part of the shortfall under the Share Purchase Plan (but not so as to require the disregarding of any votes of any shareholder who has applied or intends to apply for any shortfall under the Share Purchase Plan provided that the Company has not agreed to place a particular number of the shortfall shares to that shareholder); and</p> <p>(c) any person who might obtain a benefit, expect a benefit solely in the capacity of a holder of shares, if the resolution is passed and their respective associates; however, the votes cast by Nominee Holders on behalf of underlying beneficiaries who are not Excluded Holders, and their associates, need not be disregarded.</p> <p>2. Resolution 1 is subject to the following conditions</p> <p>2.1 in respect of the Tranche 2 Placement the beneficiaries provide written confirmation to the Nominee Holders that they will not participate in the Tranche 2 Placement, and are not an associate of a person who participated in the Placement.</p> <p>2.2 in respect of the Share Purchase Plan, the beneficiaries provide written confirmation to the Nominee Holders that they are not Excluded Holders.</p> <p>2.3 the beneficiaries direct the Nominee Holders to vote for or</p>

Register of ASX Listing Rule Waivers

	<p>against the resolutions in respect of the Tranche 2 Placement and Share Purchase Plan.</p> <p>2.4 the Nominee Holders do not exercise discretion in casting a vote on behalf of the beneficiaries.</p> <p>2.5 the terms of the waiver are released to the market no later than the time at which the Notice of Meeting for the Company's Annual General Meeting is given to ASX.</p> <p>3. The waiver in resolutions 1 and 2 is conditional on the Company disclosing the scale back policy that will be applied in the event of oversubscriptions to the SPP, and the allocation policy for dealing with application for the shortfall from the SPP in the event that there is a shortfall under the SPP.</p>
Basis For Decision	

Rule Number	14.11
Date	16/10/2009
ASX Code	IHF
Listed Company	ING REAL ESTATE HEALTHCARE FUND
Waiver Number	WLC090559-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants ING Real Estate Healthcare Fund (the "Trust"), a waiver from listing rule 14.11 to the extent necessary to permit the Trust not to comply with the voting exclusion statement in the notice of meeting relating to the ratification of a placement on 22 October 2009 of 7,287,081 fully paid ordinary units by the Trust (the "Placement") (the "Resolution"), so that the votes of holders of units which participated in the Placement may be counted, to the extent only that those holders are acting solely in a fiduciary, nominee or custodial capacity on behalf of beneficiaries who did not participate in the Placement (the "Nominee Holders"), on the following conditions.</p> <ol style="list-style-type: none"> 1. The beneficiaries provide written confirmation to the Nominee Holders that they have no interest in the outcome of the Resolution, nor are they an associate of a person who has an interest in the outcome of the Resolution. 2. The beneficiaries may direct the Nominee Holders to vote for or against the Resolution. 3. The Nominee Holders do not exercise discretion in casting a vote on behalf of the beneficiaries.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - voting exclusion statement required to exclude the votes of security holders who participated in the issue - security holders who participated in the issue may receive a benefit over and above other security holders that did not participate in the issue.</p> <p>Present Application Resolution to ratify prior issue of units - notice of meeting will contain voting exclusion statement in accordance with listing rule 7.5.6 - voting exclusion statement precludes votes of nominee from being counted if nominee holds units on behalf of any underlying beneficiary who participated in the issue - not intention of rule that votes attributable to beneficial holders who did not participate in unit issue also be excluded - waiver to permit votes of nominee on behalf of underlying beneficiaries to be counted, provided beneficiary confirms to nominee that it did not participate in the issue of units, and beneficiary directs nominee to vote for or against the resolution.</p>

Rule Number	14.11
Date	16/10/2009
ASX Code	LYC
Listed Company	LYNAS CORPORATION LIMITED
Waiver Number	WLC090562-005
Decision	<p>Based solely on the information provided ASX Limited ("ASX") grants Lynas Corporation Limited (the "Company") the following waiver to permit the Company to undertake a capital raising to raise approximately \$440 million by way of placement (the "Placement") in conjunction with an accelerated non-renounceable entitlement offer of the Company's ordinary shares ("Shares")(the "Entitlement Offer") without shareholder approval and according to the timetable submitted to ASX.</p> <p>1. Listing rule 14.11 to the extent necessary to permit the Company not to comply with the voting exclusion statement in the notice of meeting relating to the approval of a placement of securities by the Company (the "Resolution"), so that the votes of holders of securities which participated in the conditional placement may be counted, to the extent only that those holders are acting solely in a fiduciary, nominee or custodial capacity on behalf of beneficiaries who did not participate in the placement (the "Nominee Holders"), on the following conditions.</p> <p>1.1. The beneficiaries provide written confirmation to the Nominee Holders that they have no interest in the outcome of the relevant Resolution, nor are they an associate of a person who has an interest in the outcome of the relevant Resolution.</p> <p>1.2. The beneficiaries direct the Nominee Holders to vote for or against the Resolution.</p> <p>1.3. The Nominee Holders do not exercise discretion in casting a vote on behalf of the beneficiaries.</p>
Basis For Decision	<p>Underlying Policy</p> <p>Notice of meeting requirement - approval of an issue of securities for listing rule 7.4 purposes - voting exclusion statements required to exclude votes of security holders who participated in the issue, or an associate of such persons - security holders who participate in issue may receive a benefit over and above other security holders that do not participate equally in the issue.</p>

Register of ASX Listing Rule Waivers

Present Application

Resolution to be put to securityholders to ratify a Conditional Placement - notice of meeting will contain voting exclusion statement in accordance with listing rule 7.5.6 - voting exclusion statements preclude votes of nominee from being counted on resolution to approve issue of securities if nominee holds securities on behalf of any underlying beneficiary who participated - purpose of the rule is to exclude voting by persons with an interest in the outcome of the resolution - nominees hold securities on behalf of beneficial holders, some of whom participated in past issue - not intention of rule that votes attributable to beneficial holders who did not participate in security issue should be excluded along with the votes attributable to beneficial holders who did participate in the issues - waiver permits entity not to comply with voting exclusion statement in notice of meeting and permits votes of nominee on behalf of underlying beneficiaries to be counted, provided beneficiary confirms to nominee that it did not participate in the issue of securities and beneficiary directs nominee to vote for or against the resolution.

Rule Number	14.11
Date	23/10/2009
ASX Code	MIG
Listed Company	MACQUARIE INFRASTRUCTURE GROUP
Waiver Number	WLC090563-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Macquarie Infrastructure Trust (1) ("MIT1"), Macquarie Infrastructure Trust (2) ("MIT2") and Macquarie Infrastructure Group International Limited ("MIGIL") together form a stapled structure named Macquarie Infrastructure Group (the "Group") a waiver from listing rule 14.11 to the extent necessary to permit votes cast on the resolution to approve the aggregate cap on fees to be paid to directors' of the responsible entity of MIT1 and MIT2 for the purposes of listing rule 10.17 (the "Resolution") at the Group's 2009 annual general meetings, by holders of the Group's stapled securities who are acting solely in a fiduciary, nominee, or custodial capacity on behalf of beneficiaries who would not otherwise be excluded from voting (the "Nominee Holders"), to be counted, subject to the following conditions.</p> <ol style="list-style-type: none"> 1. The beneficiaries provide written confirmation to the Nominee Holders that they have no interest in the outcome of the Resolution, nor are they an associate of a person who has an interest in the Resolution, whether directly or indirectly. 2. The beneficiaries direct the Nominee Holders to vote for or against the Resolution. 3. The Nominee Holders do not exercise discretion in casting a vote on behalf of the beneficiaries. 4. The terms of this waiver are released to the market no later than the time at which the notice of meeting for the Group's 2009 annual general meeting is given to ASX.
Basis For Decision	<p>Underlying Policy Notice of meeting requirement - approval of directors fees for listing rule 10.17 purposes - entity must not increase the total amount of director's fees payable without approval of holders of stapled securities - enables security holders to review and approve proposed increases in remuneration - voting exclusion statement required to exclude votes of any director who may receive a benefit.</p> <p>Present Application Resolution to be put to security holders to consider approval of an aggregate cap on fees to be paid to directors of the RE of MIT1 and MIT2 - notice of meeting will contain voting exclusion statement in accordance with listing rule 14.11.1 - voting exclusion statement precludes any votes of nominee from being counted on resolution if nominee holds securities on behalf of any underlying beneficiary who may have an interest in the outcome of the resolution - purpose of rule is to exclude voting by persons with an interest in the outcome of the resolution - in case of an increase in directors' fees, persons who are likely to benefit are excluded from voting - nominees hold shares on behalf of beneficial holders, some of whom who may be associates of those excluded from voting and some of who are not - not intention of rule that the votes attributable to beneficial holders who will not receive a benefit should be</p>

Register of ASX Listing Rule Waivers

excluded along with the votes attributable to beneficial holders who may benefit - waiver permits votes of nominee on behalf of underlying beneficiaries to be counted, provided beneficiary confirms to nominee that it does not have an interest in the outcome, and beneficiary directs nominee to vote for or against the resolution.

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