



Register of ASX Listing Rule Waivers

16 to 30 June 2010

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	1.1 condition 2
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-001
Decision	Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 1.1 condition 2 to the extent necessary to permit the Company's constitution not to comply with the listing rules to the extent necessary that there is no specific reference to the matters required by listing rule 15.12.
Basis For Decision	<p>Underlying Policy Entity must have a constitution consistent with the listing rules.</p> <p>Present Application Entity incorporated in UK and listed on AIM - intends to merge by way of scheme of arrangement with ASX listed entity -- entities constitution does not contain the requirements as set out under listing rule 15.12 - waiver granted to permit constitution to be inconsistent with the listing rules to that extent on condition the Company undertakes not to acquire any classified assets in circumstances under which the listing rules would require the issue of restricted securities without written consent of ASX.</p>

Rule Number	1.1 condition 3
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-002
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 1.1 condition 3 to permit the Information Memorandum not to comply with paragraph 115 of Appendix 1A to the extent necessary that the Company not be required to obtain additional experts' consents for the inclusion in the Information Memorandum of reports included in the scheme booklet, on condition that the Information Memorandum contains a clear statement indicating the report is with reference to the scheme booklet only.</p>
Basis For Decision	<p>Underlying Policy Requirement for Prospectus or Product Disclosure Statement - provides platform for continuous disclosure - necessary to adequately inform the market - ASX can accept an information memorandum ("IM") in lieu of prospectus or Product Disclosure Statement where the entity does not need to raise capital.</p> <p>Listing Rule 1.1 Condition 3, Paragraph 115 of Appendix 1A Requirement for experts' consents for reports to be included in IM.</p> <p>Present Application Entity regulated by UK law and listed on AIM - intends to merge by way of scheme of arrangement pursuant to Part 5.1 of the Corporations Act 2001 with ASX listed entity - consideration being offered to shareholders in ASX listed entity under scheme booklet is issue of securities of UK entity - scheme booklet to be used as a wrap around document to the IM - IM to address the requirements of paragraphs 108 to 120 of Appendix 1A, except as waived.</p> <p>Listing Rule 1.1 Condition 3, Paragraph 115 of Appendix 1A Entity incorporated in UK and listed on AIM - intends to merge by way of scheme of arrangement with ASX listed entity - ASX listed entity will lodge a scheme booklet containing experts' reports - UK entity to use IM (incorporating scheme booklet) rather than a prospectus for the purposes of listing rule 1.1 condition 3 - consents from the experts given for the inclusion of the reports in scheme booklet rather than for their inclusion in the IM - scheme booklet includes terms of merger with UK entity - transparent that experts' reports given in the context of scheme booklet prepared by ASX listed entity - waiver granted.</p>

Rule Number	1.1 condition 3
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-014
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 1.1 condition 3 to the extent necessary to permit the Information Memorandum not to comply with paragraph 116 of Appendix 1A, subject to the following conditions.</p> <ol style="list-style-type: none"> 1. The Information Memorandum contains a statement that the Company has not raised any capital in Australia for the three months before, and will not raise capital in Australia in the three months after, the date of the Information Memorandum. 2. Any fund raising document released by the Company in the three months before the date of the Information Memorandum is released to the market as pre-quotation disclosure.
Basis For Decision	<p>Underlying Policy Requirement for prospectus or Product Disclosure Statement or if ASX agrees, IM - provides platform for continuous disclosure - necessary to adequately inform the market - requirement in paragraph 116 of Appendix 1A that IM state that entity has not raised capital in the previous three months and will not raise capital in the next three months demonstrates that entity has no need for capital and therefore it would be onerous to require the issue of a prospectus or Product Disclosure Statement.</p> <p>Present Application Entity regulated by UK law and listed on AIM - intends to merge with ASX listed entity - merger to be effected by way of scheme of arrangement with ASX listed entity- UK entity to use scheme booklet as a IM (incorporating scheme booklet) for the purposes of listing rule 1.1 condition 3 - entity may seek to raise capital outside Australia during the 3 month period either side of the date of IM - no concern that entity is seeking to avoid preparing prospectus quality information - waiver to permit requirement in paragraph 116 not to be complied with to the extent that UK entity may continue to raise capital in other jurisdictions.</p>

Rule Number	1.1 condition 3
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-015
Decision	Based solely on the information provided, ASX grants the Company a waiver from Paragraph 117 of Appendix 1A to the extent necessary to permit the Company not to include a statement in the Information Memorandum that a supplementary Information Memorandum will be issued if the Company becomes aware of certain matters occurring between the issue of the Information Memorandum and the date the Company's securities are quoted, on condition that any such matters are announced to the market by Rusina and Rusina undertakes to keep the market informed of material information relating to the Company.
Basis For Decision	<p>Underlying Policy Use of IM rather than a disclosure document for purposes of listing rule 1.1 condition 3 compliance - requirement that if material new information regarding the listing entity becomes available after issue of IM, a supplementary IM must be lodged - replicates requirement of Corporations Act in respect of supplementary disclosure documents.</p> <p>Present Application Entity incorporated in UK and listed on AIM- intends to merge with ASX listed entity - merger to be effected by scheme of arrangement between ASX listed entity and its shareholders - UK entity to use IM (incorporating scheme booklet) rather than prospectus for purpose of listing rule 1.1 condition 3 -- IM is scheme document - scheme must be approved by court - requirements to provide additional information governed by law applicable to schemes - not necessary to require statement in scheme document that supplementary information will be provided - waiver granted on condition that such matters are announced to the market by ASX listed entity.</p>

Rule Number	1.1 condition 6
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-003
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from Listing rule 1.1 condition 6 to the extent necessary to permit the Company to apply for quotation only of those CDIs issued over its fully paid common stock shares into the Australian market, subject to the following conditions.</p> <ol style="list-style-type: none"> 1. The Company applies for quotation of new CDIs issued into the Australian market on a monthly basis, and the Company provides to the market a monthly update of the net changes in the number of CDIs over its common stock shares. 2. The Company releases details of this waiver as pre-quotation disclosure.
Basis For Decision	<p>Underlying Policy Entity must be granted quotation of all securities in its main class - fungibility of securities - transparency and certainty as to number of securities available to trade in market - maintains integrity of ASX market.</p> <p>Present Application Entity will be dual-listed company - securities of UK incorporated entity must trade and settle on ASX in the form of CHESS Depository Interests ("CDIs").</p>

Rule Number	1.1 condition 11
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-004
Decision	Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 1.1 condition 11 to the extent necessary to permit the Company to have on issue 125,000 unquoted options with an exercise price less than 20 cents expiring on 16 December 2018.
Basis For Decision	<p>Underlying Policy Exercise price of options must be at least 20 cents - supports listing rule 2.1 condition 2 - demonstrates quality - supports ASX market.</p> <p>Present Application Foreign incorporated entity listed on AIM - the Company proposes to conduct a share consolidation on a 4:1 basis following shareholder approval on 29 March 2010 - existing options and warrants, all unquoted - the exercise price of 125,000 options on a post-consolidation basis will be 10pence, all other existing unlisted options will exceed the 20 cent rule - options issued to an employee under an employee share option plan as approved by shareholders - number of options not material - existence of this number of unquoted existing options with an exercise price of 10pence each would not undermine the 20 cent rule in the circumstances.</p>

Rule Number	3.20.2
Date	21/06/2010
ASX Code	CGG
Listed Company	CITADEL RESOURCE GROUP LIMITED
Waiver Number	WLC100207-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Citadel Resource Group Limited (the "Company"), the following waivers to permit the Company to undertake a capital raising to raise between approximately \$180 million and \$250 million by way of a possible institutional placement (the "Placement") in conjunction with 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>1.1 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>
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	4.10
Date	28/06/2010
ASX Code	CBA
Listed Company	COMMONWEALTH BANK OF AUSTRALIA.
Waiver Number	WLC100208-001
Decision	Based solely on the information provided, ASX Limited ("ASX") grants Commonwealth Bank of Australia (the "Company") a waiver from listing rule 4.10 to the extent necessary to permit the Company to include the information required by listing rule 4.10 in its annual report that is current at a specified date that is no more than 9 weeks before the annual report is sent to shareholders, on condition that the annual report is released as a company announcement at a date which is no more than 6 weeks after the date of the information required by listing rule 4.10.
Basis For Decision	<p>Underlying Policy Additional information must be included in annual report - additional information useful to investors</p> <p>Present Application Entity has extremely large register and sends annual report with notice of meeting - mailing of annual report delayed by later annual general meeting date - proposal to provide information not older than 9 weeks - no detriment to security holders - waiver on condition information released to market within 6 weeks.</p>

Rule Number	6.16
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-005
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4 to the extent necessary to permit the Company to do the following:</p> <ol style="list-style-type: none"> 1. Have and implement terms of the following existing incentive plans that do not comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4: <ol style="list-style-type: none"> (a) 2004 Revenue Approved Share Option Plan ("the Approved Scheme") (b) 2004 Revenue Unapproved Share Option Plan ("the Unapproved Scheme") (together "the Plans") 2. Issue options and have options on issue under the Plans that do not specifically comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4; <p>on condition that the Company release the Plans to the market as pre-quotations disclosure and undertakes to obtain ASX approval for the implementation of any future employee or director option plans.</p>
Basis For Decision	<p>Underlying Policy Option terms must permit the rights of option holder to be changed to comply with listing rules applying to a reorganisation of capital - enhances compliance with the substantive rules e.g. listing rule 7.22.</p> <p>Present Application Entity incorporated in UK and listed on AIM - intends to merge with ASX listed entity and be quoted on ASX - consideration offered to ASX listed entity shareholders under scheme of arrangement is issue of securities in UK entity - existing employee incentive schemes drafted in compliance with requirements of AIM - companion waiver to waivers from substantive rules.</p>

Rule Number	6.18
Date	24/06/2010
ASX Code	AON
Listed Company	APOLLO MINERALS LIMITED
Waiver Number	WLC100203-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Apollo Minerals Limited (the "Company") a waiver from listing rule 6.18 to the extent necessary to permit China Armco Metals, Inc ("CAM") to maintain, by way of a right to participate in any issue of shares or to subscribe for shares, its percentage interest in the issued capital of the Company (the "Top-Up Right") in respect of a diluting event which occurs pursuant to clause 5 of the subscription agreement entered into between the Company and CAM on 2 June 2010, subject to the following conditions.</p> <p>1.1. The Top-Up Right lapses if CAM's holding in the Company falls below 12%.</p> <p>1.2. The Top-Up Right lapses if the strategic relationship between the Company and CAM ceases or changes in such a way that it effectively ceases.</p> <p>1.3. The Top-Up Right may only be transferred to an entity in the wholly owned group of CAM.</p> <p>1.4. Any securities issued under the Top-Up Right are offered to CAM for cash consideration that is:</p> <p>(a) no more favourable than cash consideration offered by third parties (in the case of issues of securities to third parties for cash consideration); or</p> <p>(b) 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).</p> <p>1.5. No fees are to be paid to CAM for participating in any issue of shares or subscribing for shares in the Company under the Top-Up Right to maintain its percentage interest in the issued capital of the Company.</p> <p>1.6. The number of securities that may be issued to CAM under the Top-Up Right in the case of any diluting event must not be greater than the number required in order for CAM to maintain its percentage holding immediately before that diluting event.</p> <p>1.7. 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.</p>
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>

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Present Application

Strategic relationship established as part of broader subscription agreement and off-take rights whereby the Company has agreed to grant CAM rights to acquire not less than 15% of the iron ore produced from the Company's Mount Oscar iron ore project - part of the subscription agreement includes a Top-Up Right to prevent dilution - agreement provides that CAM may appoint a representative to the board while it holds at least 12% of the Company's capital - waiver granted to permit Top-Up Right while strategic relationship continues - Top-Up Right cannot be transferred outside CAM corporate group - Top-Up Right ends if strategic relationship with CAM ceases or its interest in the Company falls below 12%.

Rule Number	6.19
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-006
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4 to the extent necessary to permit the Company to do the following:</p> <ol style="list-style-type: none"> 1. Have and implement terms of the following existing incentive plans that do not comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4: <ol style="list-style-type: none"> (a) 2004 Revenue Approved Share Option Plan ("the Approved Scheme") (b) 2004 Revenue Unapproved Share Option Plan ("the Unapproved Scheme") (together "the Plans") 2. Issue options and have options on issue under the Plans that do not specifically comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4; on condition that the Company release the Plans to the market as pre-quotations disclosure and undertakes to obtain ASX approval for the implementation of any future employee or director option plans.
Basis For Decision	<p>Underlying Policy Option terms must set out the holder's rights to participate in a new issue without exercising the option or state that there are no such rights - informs both holders of issued securities and holders of option of the potential participation of option holders in new issues.</p> <p>Present Application Entity incorporated in UK and listed on AIM - intends to merge with ASX listed entity and be quoted on ASX - consideration offered to ASX listed entity shareholders under scheme of arrangement is issue of securities in UK entity - existing employee incentive schemes drafted in compliance with requirements of AIM - waiver limited to options issued under the existing employee incentive schemes.</p>

Rule Number	6.21
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-007
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4 to the extent necessary to permit the Company to do the following:</p> <ol style="list-style-type: none"> 1. Have and implement terms of the following existing incentive plans that do not comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4: <ul style="list-style-type: none"> (a) 2004 Revenue Approved Share Option Plan ("the Approved Scheme") (b) 2004 Revenue Unapproved Share Option Plan ("the Unapproved Scheme") (together "the Plans") 2. Issue options and have options on issue under the Plans that do not specifically comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4; <p>on condition that the Company release the Plans to the market as pre-quotations disclosure and undertakes to obtain ASX approval for the implementation of any future employee or director option plans.</p>
Basis For Decision	<p>Underlying Policy Option must not confer right to change in exercise price or a change in the number of securities issued on exercise if it also permits a right to participate in new issues without exercising the option - maintains balance between rights of holders of issued securities and holders of options.</p> <p>Present Application Entity incorporated in UK and listed on AIM - intends to merge with ASX listed entity and be quoted on ASX - consideration offered to ASX listed entity shareholders under scheme of arrangement is issue of securities in UK entity - existing employee incentive schemes drafted in compliance with requirements of AIM - waiver limited to options issued under the existing employee incentive schemes.</p>

Rule Number	6.22
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-008
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4 to the extent necessary to permit the Company to do the following:</p> <ol style="list-style-type: none"> 1. Have and implement terms of the following existing incentive plans that do not comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4: <ol style="list-style-type: none"> (a) 2004 Revenue Approved Share Option Plan ("the Approved Scheme") (b) 2004 Revenue Unapproved Share Option Plan ("the Unapproved Scheme") (together "the Plans") 2. Issue options and have options on issue under the Plans that do not specifically comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4; <p>on condition that the Company release the Plans to the market as pre-quotations disclosure and undertakes to obtain ASX approval for the implementation of any future employee or director option plans.</p>
Basis For Decision	<p>Underlying Policy Option which confers right to change in exercise price or a change in the number of securities issued on exercise must do so in accordance with formula in the listing rule - maintains balance between rights of holders of issued securities and holders of options.</p> <p>Present Application Entity incorporated in UK and listed on - intends to merge with ASX listed entity and be quoted on ASX - consideration offered to ASX listed entity shareholders under scheme of arrangement is issue of securities in UK entity - existing employee incentive schemes drafted in compliance with requirements of AIM - waiver limited to options issued under the existing employee incentive schemes.</p>

Rule Number	6.23.2
Date	16/03/2010
ASX Code	TKA
Listed Company	TUSKER GOLD LIMITED
Waiver Number	WLC100215-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") does the following in relation to 50,000,000 ordinary shares in Tusker Gold Limited (the "Company") held by Indago Resources Limited ("Indago") classified as restricted securities and subject to escrow until 16 December 2011 (the "Restricted Shares") and 17,500,000 options exercisable at 30 cents each on or before 30 December 2012 classified as restricted securities and subject to escrow until 16 December 2012 ("Restricted Options"), and 450,000 unrestricted options, for the purposes of the takeover offer for all of the Company's ordinary shares to be made by Barrick Gold Corporation or one of its subsidiaries (the "Bidder") (the "Takeover Offer").</p> <p>1.1 Consents under listing rule 9.17 to the lifting of the holding lock on the Restricted Shares to the extent necessary to enable holders of Restricted Shares to accept the Takeover Offer, on the following conditions.</p> <p>1.1.1 Holders of at least half of the ordinary shares subject to the Takeover Offer which are not restricted securities have accepted the Takeover Offer.</p> <p>1.1.2 The Bidder and the holders of Restricted Shares agree in writing that the holding lock will be re-applied to any Restricted Shares which are not acquired by the Bidder under the Takeover Offer.</p> <p>1.2 Consents under listing rule 9.17 to the lifting of the holding lock on the Restricted Options for the purpose of the cancellation of the Restricted Options, subject to the condition of the waiver from listing rule 6.23.2 below being satisfied.</p> <p>1.3 Grants the Company a waiver from listing rule 6.23.2 to the extent necessary to permit the Company to cancel for consideration all options granted by the Company (such consideration to be not greater than the difference between the exercise price of the option and the offer price per ordinary share under the Takeover Offer) without shareholder approval on the condition that the cancellation does not become effective and the consideration is not paid until the Bidder has received acceptances for the Takeover Offer in relation to least 90% of the ordinary shares.</p>
Basis For Decision	<p>Underlying Policy Cancellation of option for consideration requires approval of holders of issued ordinary securities - maintains balance between rights of holders of issued securities and holders of options - maintains integrity of ASX market.</p>

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Present Application

Unquoted options to be cancelled in conjunction with a takeover - the options not subject to offer - - options held by directors are subject to escrow restrictions, restricted until 16 December 2011 - waiver granted on condition that at least 90% of the ordinary shares that the offer relates to have accepted the offer - requirement to receive security holder approval for cancellation of options for consideration will be superfluous in situation where bidder has reached the compulsory acquisition threshold for ordinary shares - .

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Rule Number	6.23.4
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-009
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4 to the extent necessary to permit the Company to do the following:</p> <ol style="list-style-type: none"> 1. Have and implement terms of the following existing incentive plans that do not comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4: <ol style="list-style-type: none"> (a) 2004 Revenue Approved Share Option Plan ("the Approved Scheme") (b) 2004 Revenue Unapproved Share Option Plan ("the Unapproved Scheme") (together "the Plans") 2. Issue options and have options on issue under the Plans that do not specifically comply with listing rules 6.16, 6.19, 6.21, 6.22 and 6.23.4; <p>on condition that the Company release the Plans to the market as pre-quotations disclosure and undertakes to obtain ASX approval for the implementation of any future employee or director option plans.</p>
Basis For Decision	<p>Underlying Policy Sets out rules for when option terms can be changed - some terms can be changed with approval of holders of issued ordinary securities - maintains balance between rights of holders of issued ordinary securities and holders of options.</p> <p>Present Application Entity incorporated in UK and listed on AIM - intends to merge with ASX listed entity and be quoted on ASX - consideration offered to ASX listed entity shareholders under scheme of arrangement is issue of securities in UK entity - existing employee incentive schemes drafted in compliance with requirements of AIM - waiver limited to permitting changes to the terms of options issued under the existing employee incentive schemes, which may be made under ASX listing rules with the approval of holders of issued ordinary securities, to be made without approval.</p>

Rule Number	6.23.4
Date	16/06/2010
ASX Code	SBM
Listed Company	ST BARBARA LIMITED
Waiver Number	WLC100213-001
Decision	Based solely on the information provided, ASX Limited ("ASX") grants St Barbara Limited (the "Company"), a waiver from listing rule 6.23.4 to permit the Company to amend the terms of 5,857,320 options granted to the Company's managing director and chief executive officer, Mr Tim Lehany, without obtaining shareholder approval so that if Mr Lehany ceases to be an employee of the Company before 23 September 2012 and the share price condition to the exercise of the Options is not met on the date preceeding the date of his cessation of employment, the Options will lapse on that date.
Basis For Decision	<p>Underlying Policy Sets out rules for when option terms can be changed - some terms can be changed with approval of holders of issued ordinary securities - maintains balance between rights of holders of issued ordinary securities and holders of options.</p> <p>Present Application Options granted to MD and CEO following shareholder approval at AGM in November 2009 - proposed change to counter amendments to tax legislation - change does not increase rights of holder - no dilution to existing shareholders - change has insignificant effect on market - change has effect of potentially reducing exercise period - waiver limited to permitting specific change to the terms of options which may be made under ASX listing rules with the approval of holders of issued ordinary securities, to be made without approval.</p>

Rule Number	7.1
Date	21/06/2010
ASX Code	CGG
Listed Company	CITADEL RESOURCE GROUP LIMITED
Waiver Number	WLC100207-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Citadel Resource Group Limited (the "Company"), the following waivers to permit the Company to undertake a capital raising to raise between approximately \$180 million and \$250 million by way of a possible institutional placement (the "Placement") in conjunction with 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>1.1 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>1.2 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>1.2.1 On or before the record date, shareholders who are believed by the Company or the joint lead managers 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>1.2.2 Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the joint lead managers 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 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 ("Institutional Bookbuild").</p> <p>1.2.3 Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.2.4 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>1.2.5 Shares are offered under the Institutional Offer and Retail Offer at the same price.</p>

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	<p>1.2.6 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> <p>1.3 In resolution 1.1, the Company may ignore changes in shareholdings 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).</p> <p>1.4 In respect of shareholdings registered in the name of a nominee the following will apply.</p> <p>1.4.1 The nominee shall be treated as a separate shareholder in respect of securities 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>1.4.2 Institutional Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p> <p>1.5 In respect of the Placement, listing rule 7.1 to the extent necessary to permit the Company to calculate the number of ordinary 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 Institutional Offer component of the Entitlement Offer on condition that the shares issued under the Placement are to be included in variable "C" in the formula under listing rule 7.1, until their issue has been ratified by shareholders.</p> <p>1.6 Confirm to the Company that any additional securities issued to reconcile institutional security holders' entitlements so that all eligible security holders receive their full entitlement under the Entitlement Offer will be treated as part of the Entitlement Offer for the purposes of listing rules 7.1 and 10.11, and not as a separate placement, on the condition that the total number of securities issued under the Entitlement Offer does not exceed the number of securities that could be issued under a pro rata offer in the ratio of the Entitlement Offer.</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 Entitlement Offer Accelerated 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 and ratio. 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 institutional component of an accelerated</p>

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	<p>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 and placement being undertaken to raise the funds necessary for development of its copper and gold mine in Saudi Arabia and for working capital - entitlement offer is not underwritten - 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 institutional component of the entitlement offer before the offer has actually been completed.</p>
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Rule Number	7.1
Date	24/06/2010
ASX Code	NCM
Listed Company	NEWCREST MINING LIMITED
Waiver Number	WLC100210-001
Decision	Based solely on the information provided ASX Limited ("ASX") grants Newcrest Mining Limited (the "Company") waivers from listing rule 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining the approval of holders of ordinary securities, to issue shares to Lihir Gold Limited ("Lihir") shareholders (and any nominee in respect of a nominee share sale facility) under a proposed merger with Lihir by way of a scheme of arrangement between Lihir and its shareholders under Part XVI of the Companies Act 1997 (PNG) (the "Scheme").
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 Company undertaking merger with a PNG incorporated entity by way of PNG company undertaking scheme of arrangement under PNG Companies Act - broadly equivalent to scheme of arrangement under Corporations Act - issues made by way of consideration pursuant to scheme of arrangement under Corporations Act benefit from exception 5 of listing rule 7.2 - market for shares in both entities fully informed about Scheme - waiver granted.</p>

Rule Number	7.3.2
Date	22/06/2010
ASX Code	BLK
Listed Company	BLACKHAM RESOURCES LIMITED
Waiver Number	WLC100205-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Blackham Resources Limited (the "Company") a waiver from listing rule 7.3.2 to the extent necessary to permit the Company's notice of meeting (the "Notice") seeking shareholder approval for the issue of up to \$1.2 million worth of shares upon the grant of the last of the mining lease applications pursuant to the Scaddan Energy Project Term Sheet and Joint Venture Agreement between Scaddan Energy Pty Ltd and Wesfarmers Premier Coal Limited, to state that the issue of the shares will occur later than 3 months after the date of the shareholders' meeting, on the following conditions:</p> <p>1.1. The Notice states that the shares will be issued following the grant of the last of the mining lease applications E63/1145 - 1147, P63/1595-1602, P63/1605-1635, and P63/1665-P63/1670 but no later than 31 October 2010.</p> <p>1.2. The issue price of the shares is to be set at no lower than 80% of the volume weighted average market price of the Company's shares over the 5 days on which sales in the Company's shares were recorded prior to the issue, in accordance with formula set out in the notice of shareholders' meeting, subject to the limitation that the issue price of the shares cannot be set any lower than 80% of the lowest volume weighted average market price of the Company's shares during any period of 5 consecutive days on which sales of the Company's shares were recorded within the 3 months after the date of shareholders' meeting.</p> <p>1.3. The Company releases the terms of the waiver to the market.</p> <p>1.4. The Company undertakes to include in the annual report for each period during which the shares may be issued, a statement that those securities remain to be issued, and the details of the performance hurdles which are to be met prior to their issue. The undertaking is to be given and executed as a deed.</p>
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 3 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 upon the grant of all outstanding mining lease applications - condition precedent to the issue of the securities is the grant of licences by the Western Australia state government - entity anticipating a delay in obtaining licences - extension of time to issue securities is reasonable - securities to be issued no later than 31 October 2010 - issue price no lower than 80% of VWAP during 5 consecutive days within 3 months of meeting- waiver granted on condition that annual report discloses reasonable details of securities that have been and may be issued.</p>

Rule Number	7.3.2
Date	28/06/2010
ASX Code	RIA
Listed Company	RIALTO ENERGY LIMITED
Waiver Number	WLC100212-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Rialto Energy Limited (the "Company") a waiver from listing rule 7.3.2 to the extent necessary to permit the Company's notice of general meeting (the "Notice") seeking shareholder approval for the issue of up to 30,000,000 ordinary fully paid shares ("Shares") to be issued to the sellers in relation to the Company's acquisition of CLNR Holdings Limited (the "CLNR Transaction") to state that pursuant to the Share Purchase Agreement up to 30,000,000 ordinary fully paid shares will be issued more than 3 months after the date of the general meeting, on the following conditions.</p> <p>1.1. Up to 30,000,000 Shares to be issued no later than 5 years from the date of the completion of the CLNR Transaction.</p> <p>1.2. The Company releases the terms of the waiver to the market immediately.</p> <p>1.3. For the periods in which the Shares are issued or remain to be issued, the Company's annual report sets out in reasonable detail the Shares issued or remaining to be issued under the Share Purchase Agreement.</p>
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 Company acquiring an interest in a project subject to the satisfaction of conditions precedent -Shares to be issued upon satisfaction of certain milestones within 5 years after the date of settlement of transaction - notice of meeting to state that securities to be issued within 5 years of completion of Transaction - acceptable to link the issue of securities to the achievement of commercial milestones - number of securities to be issued are fixed - full details of the Share Purchase Agreement to be given to shareholders in the meeting documentation for approval - ongoing annual disclosure to keep the market apprised of the potential for issue of more securities.</p>

Rule Number	7.3.8
Date	28/06/2010
ASX Code	THR
Listed Company	THOR MINING PLC
Waiver Number	WLC100214-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Thor Mining PLC (the "Company") a waiver from the following listing rule in relation to the Company's proposed issued of fully paid ordinary shares and free attaching options (together the "Securities") under a \$2.45 million placement (the "Placement") and \$2.45 million share offer ("Share Offer").</p> <p>1.1. Listing rule 7.3.8 to the extent necessary to permit the Company's Notice to approve the issue of Securities under the Share Offer to not include the standard voting exclusion statement required under listing rule 14.11.1, and to allow the Company's security holders to vote on the resolution to approve the Share Offer, on the following conditions.</p> <p>1.1.1. The Notice states that the following persons are excluded from voting on the Share Offer:</p> <p>1.1.1.1. persons excluded from voting on other inter-conditional resolutions in relation to the Placement and the Share Offer;</p> <p>1.1.1.2. any proposed underwriter or sub-underwriter of the Share Offer;</p> <p>1.1.1.3. persons who will be substantial holders in the Company at the record date for the Share Offer and who apply for more than their proportional entitlement; and</p> <p>1.1.1.4. persons who will be substantial holders of the Company as a result of the Share Offer allocation .</p> <p>1.1.2. The Share Offer is scaled back on a pro-rata basis if it is oversubscribed.</p>
Basis For Decision	<p>Underlying Policy</p> <p>Notice of meeting requirement - approval of an issue of securities for listing rule 7.1 purposes - voting exclusion statement required to exclude votes of security holders who may participate in the issue - security holders who participate in issue may receive a benefit over and above other security holders that do not participate equally in the issue - voting exclusion statement not required where security holders may all participate on equal basis and there is limited scope for an individual holder to increase their proportionate holding.</p>

Register of ASX Listing Rule Waivers

Present Application

Company to seek security holder approval to issue securities under a security offer to eligible security holders - 95% of security holders are able to participate on equal terms - waiver granted to permit votes of security holders who may participate in the Share Offer only to the extent of their entitlement to be counted (subject to exceptions) - security holders otherwise excluded from voting will remain excluded from voting, including any proposed underwriter (and any persons who sub-underwrite or apply for the shortfall under the Share Offer), investors who receive securities under the Placement, related parties participating in the Placement or Share Offer and any other person excluded from voting on an interconditional resolution - the Share Offer closes prior to the security holder meeting and decision condition excludes substantial holders at the record date who apply for more than their proportional entitlement and those who will become substantial holders as a result of the Share Offer from voting.

Rule Number	7.16
Date	28/06/2010
ASX Code	CWG
Listed Company	CENTRAL WEST GOLD NL
Waiver Number	WLC100206-001
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Central West Gold NL (the "Company") a waiver from listing rule 7.16 to the extent necessary to permit the Company to undertake a pro rata issue of options to shareholders on a 1:1 ratio (the "Offer") such that the number of options on issue may exceed the number of ordinary fully paid shares by a maximum of 2,251,667 options, on condition that the Company does not grant any additional options (other than upon the exercise of options issued under the Offer) until such time that the Company has on issue more ordinary fully paid shares than options.</p>
Basis For Decision	<p>Underlying Policy Entity must not issue options if it would have more options on issue than underlying securities - exception where offer of one ordinary security and one option for each ordinary security - goes to acceptable capital structure of entity - excessive amount of options on issue may confuse investors and create uncertainty in the market place.</p> <p>Present Application Company proposes to undertake a fully underwritten, one for one, pro rata entitlement offer of options to shareholders - proposed number of options will only marginally exceed the number of underlying securities by approximately 4.89% - overhang insignificant - existing unquoted options on issue are out of the money and 4,000,000 will be cancelled for no consideration prior to allotment under the offer - all remaining options due to expire in five months time - entity's post-offer capital structure unlikely to cause confusion - waiver granted on a de minimis basis.</p>

Rule Number	7.40
Date	21/06/2010
ASX Code	CGG
Listed Company	CITADEL RESOURCE GROUP LIMITED
Waiver Number	WLC100207-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Citadel Resource Group Limited (the "Company"), the following waivers to permit the Company to undertake a capital raising to raise between approximately \$180 million and \$250 million by way of a possible institutional placement (the "Placement") in conjunction with 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>1.1 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>
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	9.1.3
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-010
Decision	Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 9.1.3 to the extent necessary to permit the Company to not apply the restrictions in Appendix 9B to the ordinary shares in the capital of the Company issued to Rusina shareholders.
Basis For Decision	<p>Underlying Policy A holder of restricted securities is not permitted to realise a benefit from restricted securities during escrow period - holder and controllers must enter into restriction agreement - security certificates must be held by bank or trustee or securities must be subject to holding lock - protects integrity of ASX market - ensures that promoters, vendors, etc do not receive benefit until value of the entity's business, services provided, or asset vended to entity has become apparent and is reflected in market price of entity's securities.</p> <p>Present Application Merger of two listed entities by way of scheme of arrangement - shares in form of CDIs issued by the Company to Rusina shareholders as consideration for the transfer of their shares in Rusina pursuant to the scheme - Rusina holds interests in mining tenements - exceptions in listing rule 9.1.3 do not apply - Rusina is a listed entity on ASX and AIM, so its assets have already been priced by the market - the Company is listed on AIM and so its assets have already been priced to the market - waiver to permit securities in the Company issued as consideration for the transfer of shares in Rusina not to be restricted.</p>

Rule Number	10.1
Date	24/06/2010
ASX Code	PRU
Listed Company	PERSEUS MINING LIMITED
Waiver Number	WLC100211-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Perseus Mining Limited (the "Company") a waiver from listing rule 10.1 to the extent necessary to permit the Company and its wholly owned subsidiary companies Kojina Resources Ltd, Central Ashanti Gold Limited and Centash Holdings Pty Ltd to provide security to Macquarie Bank Limited ("MBL") and Credit Suisse AG ("CS") (together the "Security") in connection with a US\$85 million project loan facility and gold hedging facility to be made available to Central Ashanti Gold Limited for the development of the Central Ashanti Gold Project in Ghana ("CAG Project") (together the "Facilities") without first obtaining shareholder approval on the following conditions:</p> <p>1.1. The Facilities and each security document includes a term that if an event of default occurs and MBL and CS exercises their rights under any of the Security, MBL, CS and any of their related parties could not acquire any legal or beneficial interest in any of the assets the subject of any of the Security in full or in part satisfaction of the amounts owing by the Company, Kojina Resources Ltd, Central Ashanti Gold Limited and/or Centash Holdings Pty Ltd to MBL and CS under the Facilities, or otherwise deal with the assets the subject of any of the Security (other than as required by law or by MBL and CS enforcing their rights under any of the Security and selling the assets to an unrelated third party on arm's length commercial terms and conditions, or by appointing a receiver, or receiver and manager over those assets) without the Company first having complied with any applicable listing rules, including listing rule 10.1.</p> <p>1.2. A summary of the material terms of the Facilities are made in each annual report of the Company while there is any indebtedness outstanding.</p> <p>1.3. Any variation to the terms of any of the Security and/or the Facilities which are not minor changes or inconsistent with the terms of the waiver are subject to shareholder approval.</p> <p>1.4. The Company releases the terms of this waiver to the market by way of a separate announcement.</p>
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an acquisition or disposal of a substantial asset from person in position to exercise influence - only unassociated security holders' votes are counted - independent expert's report on fairness and reasonableness of the transaction must be obtained - protects security holders' interests by supplementing the related party provisions of the corporations act (and whatever related party provisions apply to foreign entities).</p>

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Present Application

Lender has held up to 11.69% of the voting rights in the Company within 6 months of transaction and is a substantial shareholder of the Company - loan facility agreement entered into for US\$85 million - Company and its wholly owned subsidiaries propose to grant security to lender - security constitutes a substantial asset for the purpose of listing rule 10.1- Company not permitted to dispose of substantial asset to a substantial holder or its associates without first complying with the relevant listing rules including listing rule 10.1 - waiver granted on condition that adequate disclosure is made in future annual reports of the Company and any material amendments to the terms of the facility documents or any of the security documents are approved by shareholders.

Rule Number	10.11
Date	21/06/2010
ASX Code	CGG
Listed Company	CITADEL RESOURCE GROUP LIMITED
Waiver Number	WLC100207-004
Decision	<p>Based solely on the information provided, ASX Limited ("ASX") grants Citadel Resource Group Limited (the "Company"), the following waivers to permit the Company to undertake a capital raising to raise between approximately \$180 million and \$250 million by way of a possible institutional placement (the "Placement") in conjunction with 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>1.1 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>1.2 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>1.2.1 On or before the record date, shareholders who are believed by the Company or the joint lead managers 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>1.2.2 Entitlements not taken up by Institutional Shareholders under the Institutional Offer, and, if the joint lead managers 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 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 ("Institutional Bookbuild").</p> <p>1.2.3 Institutional Shareholders and Foreign Excluded Investors who sell down their holdings before the record date have their pro rata allocations reduced accordingly.</p> <p>1.2.4 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>1.2.5 Shares are offered under the Institutional Offer and Retail Offer at the same price.</p>

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	<p>1.2.6 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> <p>1.3 In resolution 1.1, the Company may ignore changes in shareholdings 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).</p> <p>1.4 In respect of shareholdings registered in the name of a nominee the following will apply.</p> <p>1.4.1 The nominee shall be treated as a separate shareholder in respect of securities 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>1.4.2 Institutional Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p> <p>1.5 In respect of the Placement, listing rule 7.1 to the extent necessary to permit the Company to calculate the number of ordinary 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 Institutional Offer component of the Entitlement Offer on condition that the shares issued under the Placement are to be included in variable "C" in the formula under listing rule 7.1, until their issue has been ratified by shareholders.</p> <p>1.6 Confirm to the Company that any additional securities issued to reconcile institutional security holders' entitlements so that all eligible security holders receive their full entitlement under the Entitlement Offer will be treated as part of the Entitlement Offer for the purposes of listing rules 7.1 and 10.11, and not as a separate placement, on the condition that the total number of securities issued under the Entitlement Offer does not exceed the number of securities that could be issued under a pro rata offer in the ratio of the Entitlement Offer.</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 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	24/06/2010
ASX Code	NCM
Listed Company	NEWCREST MINING LIMITED
Waiver Number	WLC100210-002
Decision	Based solely on the information provided ASX Limited ("ASX") grants Newcrest Mining Limited (the "Company") waivers from listing rule 7.1 and 10.11 to the extent necessary to permit the Company, without obtaining the approval of holders of ordinary securities, to issue shares to Lihir Gold Limited ("Lihir") shareholders (and any nominee in respect of a nominee share sale facility) under a proposed merger with Lihir by way of a scheme of arrangement between Lihir and its shareholders under Part XVI of the Companies Act 1997 (PNG) (the "Scheme").
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related party - directed at preventing related party obtaining securities on advantageous terms and increasing their holdings proportionate to other holdings - only unassociated security holders' votes are counted - protect security holders' interests by supplementing the related party provisions if the Corporations Act (and whatever related party provisions apply to foreign entities).</p> <p>Present Application Company undertaking merger with a PNG incorporated entity by way of PNG company undertaking scheme of arrangement under PNG Companies Act - broadly equivalent to scheme of arrangement under Corporations Act - issues made by way of consideration pursuant to scheme of arrangement under Corporations Act benefit from exception 5 of listing rule 10.12 - related parties of company may receive securities as scheme consideration - market for shares in both entities fully informed about Scheme - waiver granted.</p>

Rule Number	10.13.3
Date	28/06/2010
ASX Code	THR
Listed Company	THOR MINING PLC
Waiver Number	WLC100214-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Thor Mining PLC (the "Company") a waiver from the following listing rule in relation to the Company's proposed issued of fully paid ordinary shares and free attaching options (together the "Securities") under a \$2.45 million placement (the "Placement") and \$2.45 million share offer ("Share Offer").</p> <p>1.1. Listing rule 10.13.3 to the extent necessary to permit the Company to issue Securities to related parties under the Placement and Share Offer later than one month from the date of the security holders' meeting approving the issue of Securities to the related parties, on the following conditions.</p> <p>1.1.1. The Notice of Meeting (the "Notice") states that the Securities will be issued no later than 3 months after the date of the security holders' meeting.</p> <p>1.1.2. The Notice states the maximum number of Securities that may be issued to related parties under the Placement and the Share Offer.</p> <p>1.1.3. The Share Offer is scaled back on a pro-rata basis if it is over subscribed.</p> <p>1.1.4. 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.</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 Company undertaking an offer of securities to existing shareholders who hold securities in conjunction with a private placement to investors-- related parties to participate in the placement on the same terms as other investors and security holders - completion of the placement to related parties to occur concurrently with completion of placement to other security holders - meeting to be held for security holders 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 placement and offer.</p>

Rule Number	10.18
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-011
Decision	Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 10.18 to the extent necessary to permit the Company upon a change of control to pay termination benefits to existing Company employees pursuant to the terms of the Company's existing employment contracts.
Basis For Decision	<p>Underlying Policy Entity to ensure that no officer of entity will be entitled to termination benefits or any increase in them if a change occurs in the shareholding or control of listed entity - prevents the use of termination payments as a poison pill.</p> <p>Present Application Entity incorporated in UK and listed on AIM - UK law permits termination payments upon change in control - waiver permitted in respect of existing employment contracts only.</p>

Rule Number	14.7
Date	23/06/2010
ASX Code	BOS
Listed Company	BIOSIGNAL LIMITED
Waiver Number	WLC100204-001
Decision	<p>1. Subject to Resolution 2 and based solely on the information provided, ASX Limited ("ASX") grants BioSignal Limited (the "Company") a waiver from listing rule 14.7 to the extent necessary to permit the Company to issue the following securities ("Securities"), as approved by shareholders at the general meeting held on 19 March 2010, later than 3 months and 1 month (as applicable) after the date of shareholder approval.</p> <p>1.1. 70,000,000 fully paid ordinary shares to RGM Entertainment Pte Ltd for the Company's acquisition of RGM Group Pte Ltd ("RGM Group").</p> <p>1.2. Up to 30,000,000 fully paid ordinary shares under the Company's prospectus dated 21 April 2010 to raise working capital for the operation of RGM Group.</p> <p>1.3. 200,000 fully paid ordinary shares and 200,000 unlisted options with an exercise price of 25 cents to Ayre Nominees Pty Ltd ("Ayre Nominees").</p> <p>2. Resolution 1 is subject to the following conditions.</p> <p>2.1. The Securities are issued no later than 21 July 2010 and otherwise on the same conditions as approved by shareholders on 19 March 2010.</p> <p>2.2. The Company releases the terms of the waiver to the market immediately.</p>
Basis For Decision	<p>Underlying Policy If a notice of meeting states that an entity will do something that the listing rules require it to do, the entity must do that thing - supports listing rule requirements.</p> <p>Present Application Company undertaking recapitalisation - Company's securities remain suspended from quotation pending recapitalisation - shareholders approved issue of securities to related and unrelated parties as part of recapitalisation - issue of securities to related party subject to completion of recapitalisation transaction - delay in issue of securities as several supplementary prospectuses issued and closing period extended - issue of securities to related party will occur more 1 month and unrelated parties more than 3 months after shareholder approval - circumstances of Company and terms of transaction have not changed since shareholders approved transaction - Company's securities will remain suspended from quotation pending recapitalisation - no advantage accrues to related party by reason of the delay - waiver granted.</p>

Rule Number	15.12
Date	29/06/2010
ASX Code	ENK
Listed Company	EUROPEAN NICKEL PLC
Waiver Number	WLC100191-016
Decision	Based solely on the information provided, ASX Limited ("ASX") grants European Nickel PLC (the "Company") a waiver from listing rule 15.12 to the extent necessary to permit the Company's constitution not to contain the provisions required by listing rules 15.12.1 to 15.12.3 inclusive on condition that the Company undertakes not to acquire any classified assets in circumstances under which the ASX Listing Rules would require the issue of restricted securities, without the written consent of ASX. The undertaking is to be given and executed in the form of a deed.
Basis For Decision	<p>Underlying Policy Requirement that entity's constitution contain provisions dealing with restricted securities - supports escrow regime.</p> <p>Present Application Waiver granted on basis of undertaking by entity prepared to undertake that it will not acquire any classified asset in circumstances where restricted securities would be required to be issued in consideration for asset.</p>