



Register of ASX Listing Rule Waivers

16 to 31 January 2011

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 6
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-001
Decision	1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 1.1 condition 6 to the extent necessary to permit the Company apply for quotation only of those CDIs issued over its fully paid common shares into the Australian market, on condition that the Company applies for quotation of new CDIs issued into the Australian market on a monthly basis, and provides to the market a monthly update of the net changes to the number of CDIs over its common stock.
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 Company incorporated in Canada and listed on TSX - securities of Canadian home jurisdiction entities must trade and settle on ASX in the form of CHESS depository interests ("CDIs") - total number of shares on issue will not correlate with securities immediately tradeable on ASX market - only those securities of the company actually represented by CDIs to be quoted on ASX - quotation of CDIs on issue as distinct from total number of shares on issue more accurately reflects securities immediately tradeable on ASX market - participants in ASX market better informed of free float and depth and liquidity of ASX market for company's securities - monthly updates of CDI's on issue to be provided for market transparency and certainty.</p>

Rule Number	3.20.2
Date	27/01/2011
ASX Code	AOH
Listed Company	ALTONA MINING LIMITED
Waiver Number	WLC110024-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Altona Mining Limited (the "Company") waivers from the following listing rules, to the extent necessary to permit the Company to undertake a capital raising by way of an accelerated nonrenounceable pro rata entitlement offer of the Company's shares (the "Entitlement Offer") and a placement (the "Placement") to raise approximately \$45 million.</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 open 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 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	20/01/2011
ASX Code	VXR
Listed Company	VENTUREX RESOURCES LIMITED
Waiver Number	WLC110036-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Venturex Resources Limited (the "Company"), a waiver from the following listing rules to permit the Company to undertake a capital raising to raise approximately A\$35.97 million by way of an accelerated non-renounceable entitlement offer (the "Entitlement Offer") and an institutional placement in conjunction with the Entitlement Offer (the "Placement").</p> <p>1.1. Listing rules 3.20.2 and 7.40 to the extent necessary 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>
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	27/02/2010
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 4.2A and 4.2B to the extent necessary to permit the Company not to lodge an Appendix 4D - Half Year Report for each half year on condition that the Company lodges with ASX the half-year financial statements and interim management decision and analysis ("MD&A") that the Company is required to lodge with the relevant Canadian securities regulatory authorities in accordance with its obligations under the TSX Company Manual, the Securities Act (Ontario) and other relevant provincial securities legislation ("Canadian Reporting Requirements") at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.</p>
Basis For Decision	<p>Underlying Policy Half year report - information substantially similar to Corporations Act requirements for listed Australian entities - information in prescribed format - prescribed format intended to facilitate ready understanding of information and comparison of information provided by different entities.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on TSX - majority of company's operations are based outside Australia - listing rule would require company to lodge Appendix 4D and half-year report with ASX within 2 months of end of half year accounting period - Canadian reporting requirements require the lodgement of quarterly reports within 45 days of the end of each quarter - more detailed and onerous reporting required under Canadian legislation (although Canadian law does not mandate audit review for 2nd quarter report, whereas s 302 of Corporations Act requires review of half yearly report) - shareholders will receive half-year results 15 days earlier than under the ASX listing rules - shareholders unlikely to be adversely affected by a waiver - no additional benefit gained by the preparation of an Appendix 4D - company considered to satisfy criteria for relief outlined in Guidance Note 4 in relation to this particular obligation.</p>

Rule Number	4.2B
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 4.2A and 4.2B to the extent necessary to permit the Company not to lodge an Appendix 4D - Half Year Report for each half year on condition that the Company lodges with ASX the half-year financial statements and interim management decision and analysis ("MD&A") that the Company is required to lodge with the relevant Canadian securities regulatory authorities in accordance with its obligations under the TSX Company Manual, the Securities Act (Ontario) and other relevant provincial securities legislation ("Canadian Reporting Requirements") at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.</p>
Basis For Decision	<p>Underlying Policy Half year report - information substantially similar to Corporations Act requirements for listed Australian entities - information in prescribed format - prescribed format intended to facilitate ready understanding of information and comparison of information provided by different entities.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on TSX - majority of company's operations are based outside Australia - listing rule would require company to lodge Appendix 4D and half-year report with ASX within 2 months of end of half year accounting period - Canadian reporting requirements require the lodgement of quarterly reports within 45 days of the end of each quarter - more detailed and onerous reporting required under Canadian legislation (although Canadian law does not mandate audit review for 2nd quarter report, whereas s 302 of Corporations Act requires review of half yearly report) - shareholders will receive half-year results 15 days earlier than under the ASX listing rules - shareholders unlikely to be adversely affected by a waiver - no additional benefit gained by the preparation of an Appendix 4D - company considered to satisfy criteria for relief outlined in Guidance Note 4 in relation to this particular obligation.</p>

Rule Number	4.3A
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-004
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 4.3A and 4.3B to the extent necessary to permit the Company not to lodge an Appendix 4E - Preliminary Final Report for each year on condition that the Company lodges with ASX the annual financial statements and annual MD&A that the Company is required to lodge with the relevant Canadian securities regulatory authorities in accordance with Canadian Reporting Requirements at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.</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 company - primary listing TSX - majority of shareholders hold their securities on TSX - majority of company's operations based outside Australia - volume of trading on ASX is likely to be much smaller than volume of trading on TSX - Canadian reporting requirements require the lodgement of preliminary final report equivalent within 90 days of year end - listing rules require lodgement within 2 months of year end - company prepares its report in accordance with Canadian accounting standards - the majority of shareholders will rely on the company's Canadian accounts - considerable cost and inconvenience in preparing accounts to comply with ASX requirements will outweigh the benefit derived by the smaller Australian shareholder base - company considered to satisfy criteria for relief outlined in Guidance Note 4 in relation to this particular obligation.</p>

Rule Number	4.3B
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-005
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 4.3A and 4.3B to the extent necessary to permit the Company not to lodge an Appendix 4E - Preliminary Final Report for each year on condition that the Company lodges with ASX the annual financial statements and annual MD&A that the Company is required to lodge with the relevant Canadian securities regulatory authorities in accordance with Canadian Reporting Requirements at the same time that the Company lodges those documents with those Canadian securities regulatory authorities.</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 company - primary listing TSX - majority of shareholders hold their securities on TSX - majority of company's operations based outside Australia - volume of trading on ASX is likely to be much smaller than volume of trading on TSX - Canadian reporting requirements require the lodgement of preliminary final report equivalent within 90 days of year end - listing rules require lodgement within 2 months of year end - company prepares its report in accordance with Canadian accounting standards - the majority of shareholders will rely on the company's Canadian accounts - considerable cost and inconvenience in preparing accounts to comply with ASX requirements will outweigh the benefit derived by the smaller Australian shareholder base - company considered to satisfy criteria for relief outlined in Guidance Note 4 in relation to this particular obligation.</p>

Rule Number	4.7B
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-006
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 4.7B to the extent necessary to permit the Company not to lodge an Appendix 4C with respect to each quarter as required by the listing rules on condition that the Company lodges with ASX the quarterly management decision and analysis report that it is required to lodge with the relevant Canadian regulatory authorities within 45 days of the end of each quarter or at the same time the Company lodges those documents with the Ontario Securities Commission (whichever is sooner).</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 company - primary listing on TSX - majority of shareholders and operations 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 Canadian legislation and ASX listing rules - duplication of quarterly reports - reports to be lodged within 45 days of the end of quarter (excluding the quarter following which the company lodges its annual results) - company considered to satisfy criteria for relief outlined in Guidance Note 4 - 'Foreign Entities' in relation to this particular obligation.</p>

Rule Number	4.7B
Date	28/01/2011
ASX Code	EGH
Listed Company	EUREKA GROUP HOLDINGS LIMITED
Waiver Number	WLC110029-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Eureka Group Holdings Limited (the "Company") a waiver from listing rule 4.7B to the extent necessary to permit the Company to lodge an Appendix 4C for the month ending 31 December 2010 prior to 10:00AM (AEDT) on Monday, 7 February 2011 on the condition that the terms of the waiver are immediately released 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 Company admitted in 2004 based on 'commitments' - Company's offices closed between 24 December 2010 and 10 January 2011 - entity unable to access its offices or computer systems between 11 and 24 January 2011 due to extensive flooding throughout Brisbane in January 2011 - due to floods and annual closure, staff effectively in the office for 4 days between 24 December 2010 and 31 January 2011 - insufficient time to enable entity to accurately collate and report cash flows for month ending 31 December 2010 - limited access to office due to natural disaster and completely beyond entity's control - 4 business day extension appropriate in the circumstances - waiver granted.</p>

Rule Number	6.3
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-007
Decision	1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 6.3 to the extent necessary to permit 161 series 1 preferred shares issued by the Company to carry no voting rights.
Basis For Decision	<p>Underlying Policy Preference shares have limited voting rights - preference shares take on the characteristics of a financing instrument rather than an equity instrument - supports principle that holders of ordinary securities exercise control over entity.</p> <p>Present Application Company incorporated in Canada and listed on TSX - company has preference shares on issue - preference shares carry no voting rights - intended that preference shares will be redeemed within 6 months of listing - preference shares have been on issue for several years - number of preference shares only a small proportion of the company's total issued capital - prospectus outlines company's existing capital structure - waiver granted.</p>

Rule Number	6.13
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-008
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 6.13 to the extent necessary to permit the Company's constitution to state that it shall have a lien on any share beneficially held by a shareholder for a debt of that shareholder to the Company, on condition that the Company undertakes to ASX:</p> <p>1.1 Not to issue any securities in a way that would require the creation of a lien in circumstances other than those provided for in listing rules 6.13.1 to 6.13.3.</p> <p>1.2 To amend its constitution to comply with listing rule 6.13 at its next meeting of holders of ordinary securities.</p> <p>The undertaking is to be given and executed in the form of a deed.</p>
Basis For Decision	<p>Underlying Policy Entity must not hold a security interest over particular shares except in limited circumstances to protect a payment obligation to the entity - protects integrity of ASX market.</p> <p>Present Application Company's constitution provides that the company shall have a lien on any share beneficially held by a shareholder for a debt of that shareholder to the company - company has no existing liens - relevant clause of constitution has no current application - waiver granted on condition that company undertakes not to issue any securities in circumstances that would require the creation of a lien over those securities, and to amend its constitution at its next meeting of shareholders.</p>

Rule Number	6.16
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-009
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 6.16, 6.19, 6.20, 6.21 and 6.22 to the extent necessary to permit the Company's 620,000 existing warrants not to comply with the listing rules on condition that the Company provides ASX a written undertaking to do the following:</p> <p>1.1 Not to issue any further warrants.</p> <p>1.2 Obtain ASX approval for any proposed amendments to the terms of the warrants.</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 eg listing rule 7.22.</p> <p>Present Application Company incorporated in Canada, regulated by Canadian law and listed on TSX - terms of existing warrants drafted in compliance with requirements of TSX - waiver limited to warrants already on issue.</p>

Rule Number	6.19
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-010
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 6.16, 6.19, 6.20, 6.21 and 6.22 to the extent necessary to permit the Company's 620,000 existing warrants not to comply with the listing rules on condition that the Company provides ASX a written undertaking to do the following:</p> <p>1.1 Not to issue any further warrants.</p> <p>1.2 Obtain ASX approval for any proposed amendments to the terms of the warrants.</p>
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 Company incorporated in Canada, regulated by Canadian law and listed on TSX - terms of existing warrants drafted in compliance with requirements of TSX - waiver limited to warrants already on issue.</p>

Rule Number	6.20
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-011
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 6.16, 6.19, 6.20, 6.21 and 6.22 to the extent necessary to permit the Company's 620,000 existing warrants not to comply with the listing rules on condition that the Company provides ASX a written undertaking to do the following:</p> <p>1.1 Not to issue any further warrants.</p> <p>1.2 Obtain ASX approval for any proposed amendments to the terms of the warrants.</p>
Basis For Decision	<p>Underlying Policy Option must not confer right to participate in new issue without exercising the option unless options were issued pro rata to all security holders or issue of option was approved by security holders - maintains balance between rights of holders of issued securities and holders of options.</p> <p>Present Application Company incorporated in Canada, regulated by Canadian law and listed on TSX - terms of existing warrants drafted in compliance with requirements of TSX - waiver limited to warrants already on issue.</p>

Rule Number	6.21
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-012
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 6.16, 6.19, 6.20, 6.21 and 6.22 to the extent necessary to permit the Company's 620,000 existing warrants not to comply with the listing rules on condition that the Company provides ASX a written undertaking to do the following:</p> <p>1.1 Not to issue any further warrants.</p> <p>1.2 Obtain ASX approval for any proposed amendments to the terms of the warrants.</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 Company incorporated in Canada, regulated by Canadian law and listed on TSX - terms of existing warrants drafted in compliance with requirements of TSX - waiver limited to warrants already on issue.</p>

Rule Number	6.22
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-013
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rules 6.16, 6.19, 6.20, 6.21 and 6.22 to the extent necessary to permit the Company's 620,000 existing warrants not to comply with the listing rules on condition that the Company provides ASX a written undertaking to do the following:</p> <p>1.1 Not to issue any further warrants.</p> <p>1.2 Obtain ASX approval for any proposed amendments to the terms of the warrants.</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 Company incorporated in Canada, regulated by Canadian law and listed on TSX - terms of existing warrants drafted in compliance with requirements of TSX - waiver limited to warrants already on issue.</p>

Rule Number	6.23.2
Date	28/01/2011
ASX Code	GIR
Listed Company	GIRALIA RESOURCES NL
Waiver Number	WLC110030-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Giralia Resources NL (the Company") a waiver from listing rule 6.23.2 to the extent necessary to permit the Company to do the following:</p> <p>1.1. Cancel for consideration and without shareholder approval, all options issued by the Company, on the following conditions:</p> <p>1.1.1. the off market takeover bid from Atlas Iron Ltd (the "Bidder") for all the Company's shares has been declared unconditional; and</p> <p>1.1.2. the Bidder has acquired voting power in the Company of at least 50.1%.</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> <p>Present Application Entity subject to a takeover bid - unquoted options will be cancelled as part of takeover -- consideration to be offered by acquirer for cancellation of unquoted options being the issue of shares in Atlas Iron Limited - waiver to cancel options without shareholder approval granted on condition that bidder has obtained greater than 50% voting power and offer is unconditional.</p>

Rule Number	6.23.3
Date	21/01/2011
ASX Code	TTR
Listed Company	TECTONIC RESOURCES NL
Waiver Number	WLC110035-001
Decision	1. Based solely on the information provided, ASX Limited ("ASX") grants Tectonic Resources NL (the "Company") a waiver from listing rule 6.23.3 to the extent necessary to permit the Company to seek shareholder approval at its next general meeting to amend the terms of unquoted employee options issued to Johannes Stig Norregaard and Andrew Czerw (the "Options") by removing the continuity of employment vesting condition only.
Basis For Decision	<p>Underlying Policy Set out rules for when option terms can be changed - some terms cannot be changed even with approval of holders - maintains integrity of ASX.</p> <p>Present Application Unquoted options issued to resigning directors- not excessive in context of entity's capital structure at approximately 0.0347% - insignificant effect on market for quoted securities - terms of Employee Share Option Plan permit the removal of vesting conditions by the board at their discretion- vesting conditions linked to continuation of employment and achievement of key performance indicators - proposal to remove the vesting condition of continued employment only - waiver granted on condition that shareholder approval is obtained to change the terms of the options.</p>

Rule Number	7.1
Date	27/01/2011
ASX Code	AOH
Listed Company	ALTONA MINING LIMITED
Waiver Number	WLC110024-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Altona Mining Limited (the "Company") waivers from the following listing rules, and gives the following confirmations, to the extent necessary to permit the Company to undertake a capital raising by way of an accelerated nonrenounceable pro rata entitlement offer of the Company's shares (the "Entitlement Offer") and a placement (the "Placement") to raise approximately \$45 million.</p> <p>1.1. In respect of the Entitlement Offer:</p> <p>1.1.1. 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 underwriters 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 Entitlement 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 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 on or before the record date ("Institutional Bookbuild").</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 received an offer in the Institutional Entitlement Offer and Foreign Excluded Investors, are offered a number of 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>(e) Entitlements not taken up in the Retail Entitlement Offer, and, if the underwriters determine, entitlements which would have been offered to Retail Foreign Excluded Investors, are offered to Institutional Shareholders (including investors who are not shareholders as at the Record Date) through a bookbuild process immediately following the close of the Retail Offer (the "Retail Bookbuild").</p> <p>(f) Shares are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>(g) Related parties do not participate beyond their pro rata entitlement unless they do so pursuant to bona fide underwriting</p>

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	arrangements and the terms of the underwriting are included in the offer documents to be sent to all shareholders.
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 Present Application- Entitlement Offer</p> <p>Accelerated renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - first round offer to institutions - second round offer to other shareholders - all offers at the same price and ratio - sale of entitlements not taken up completed by bookbuild with any premium distributed to non-participating shareholders.</p> <p>Present Application- Placement</p> <p>Company proposing to make institutional placement under listing rule 7.1 based on calculation of capacity that includes shares 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 - applies to underwritten component of offer only - offer fully underwritten and is expected to 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	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-014
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 7.1 to the extent necessary to permit the Company to issue securities without securityholder approval pursuant to the rule, subject to the following conditions.</p> <p>1.1 The Company remains subject to, and complies with, the listing rules of the TSX with respect to the issue of new securities.</p> <p>1.2 The Company certifies to ASX on an annual basis (on or about 30 September each year) that it remains subject to, has complied with, and continues to comply with, the requirements of TSX with respect to the issue of new securities.</p> <p>1.3 If the Company becomes aware of any change to the application of TSX listing rules with respect to the issue of new securities, or that the company is no longer in compliance with the requirements of TSX with respect to the issue of new securities, it must immediately advise ASX.</p>
Basis For Decision	<p>Underlying Policy Dilution of holdings - approval of existing security holders required where further issues of securities will significantly dilute their holdings - practical operation is to provide greater protection to smaller holders against dilution - limit on securities that may be issued without security holder approval fixed at 15% of the ordinary securities on issue 12 months earlier.</p> <p>Present Application Foreign incorporated company - primary listing on TSX - majority of shareholders on TSX - constraints placed by rules of TSX on issues of securities - main source of funding via equity raisings on the TSX - waivers previously granted to entities on an annual basis, to permit issues in compliance with rules of TSX - waiver granted to be on-going, automatically renewed on 30 September 2010 each year conditional on the company providing ASX a certification on an annual basis that it continues to comply with TSX with respect to issues of new securities - company to advise ASX immediately on any change to the application of TSX listing rules in respect to issues of new securities or where the Company is no longer compliant with the TSX listing rules.</p>

Rule Number	7.1
Date	20/01/2011
ASX Code	VXR
Listed Company	VENTUREX RESOURCES LIMITED
Waiver Number	WLC110036-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Venturex Resources Limited (the "Company"), a waiver from the following listing rules to permit the Company to undertake a capital raising to raise approximately A\$35.97 million by way of an accelerated non-renounceable entitlement offer (the "Entitlement Offer") and an institutional placement in conjunction with the Entitlement Offer (the "Placement").</p> <p>1.1. In relation to the Entitlement Offer, listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under the Entitlement Offer without security holder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.2. On or before the record date, shareholders who are believed by the Company or any underwriters to the Entitlement Offer to be persons to whom offers of shares 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 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>1.3. Entitlements not taken up by Institutional Security Holders under the Institutional Offer, and, if any underwriters 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 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.</p> <p>1.4. 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>1.5. All security holders, other than shareholders who received an offer in the Institutional Offer and Foreign excluded Investors, ("Retail Security Holders") are offered a number 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>1.6. Shares are offered under the Institutional Offer and the Retail Offer at the same price.</p> <p>1.7. 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>

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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 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	7.3.2
Date	31/01/2011
ASX Code	AUZ
Listed Company	AUSTRALIAN MINES LIMITED
Waiver Number	WLC110025-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Australian Mines Limited (the "Company") a waiver from listing rule 7.3.2 to the extent necessary to permit the notice of meeting ("Notice") seeking shareholder approval for the issue of up to 120,000,000 tranche 2 shares ("Tranche 2 Shares") and 36,000,000 tranche 3 shares ("Tranche 3 Shares"), (together "the Shares") to the vendors of Nigeria Gold Pty Ltd ("NGL") to state that those securities will be issued more than 3 months after the date of shareholders' meeting, on the following conditions:</p> <p>1.1 The Tranche 2 Shares are to be issued no later than 5 months from the date of the shareholders' meeting.</p> <p>1.2 The Tranche 3 Shares are to be issued no later than 24 months from the date of the shareholders' meeting.</p> <p>1.3 The Notice of Meeting sets out in detail the conditions which must be satisfied prior to the issue of the Shares, and which will govern the determination of the exact number of Shares to be issued.</p> <p>1.4 For any annual reporting period during which any of the Shares have been issued or remain to be issued, the Company's annual report must set out in detail the number of Shares issued in that annual reporting period, and the number of Shares that remain to be issued, and the basis on which those Shares may be issued.</p> <p>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 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 as consideration for acquisition of NGL - issue of tranche 2 and tranche 3 securities contingent upon performance milestones and events - tranche 2 securities to be issued no later than 5 months from date of shareholder approval and tranche 3 securities to be issued no later than 24 months from date of shareholder approval - total potential number of securities to be issued is capped, but the actual number to be issued will depend on the outcome of certain contingent transactions or performance milestones - maximum degree of dilution can be explained in notice of meeting - time for transactions or performance milestones is reasonable in context of assets and transactions - shareholders can be given adequate information to explain the effects of the transactions and the degree of dilution.</p>

Rule Number	7.3.2
Date	27/01/2011
ASX Code	WCR
Listed Company	WINCHESTER RESOURCES LIMITED
Waiver Number	WLC110037-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Winchester Resources Limited (the "Company") a waiver from listing rule 7.3.2 to the extent necessary to permit the notice of meeting ("Notice") seeking shareholder approval for the issue of up to 4,000,000 shares ("Shares") to Princeway Global Trading Limited ("Princeway") to state that the shares will be issued more than 3 months after the date of shareholders' meeting, on the following conditions</p> <p>1.1 The Shares are to be issued no later than 24 months from the date of the shareholder meeting.</p> <p>1.2 The Notice of Meeting sets out in details the condition which must be satisfied prior to the issue of the Shares.</p> <p>1.3 For any annual reporting period during which any of the Shares have been issued or any of them remain to be issued, the Company's annual report sets out in detail the basis on which the Shares may be issued.</p> <p>1.4 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 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 facilitator of an acquisition - issue of securities contingent upon company's securities exceeded 25 cents for 10 consecutive trading days - securities to be issued no later than 24 months from date of shareholder approval this part of the consideration to the facilitator of the acquisition only to be issued in event of share price appreciation hurdle being met - shareholders will be given sufficient information to assess whether to approve delayed issued of shares on that basis - number of shares is fixed and the degree of dilution is fixed.</p>

Rule Number	7.3.8
Date	19/01/2011
ASX Code	LSL
Listed Company	LUMINUS SYSTEMS LIMITED.
Waiver Number	WLC110031-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Luminus Systems Limited (the "Company") the following waiver.</p> <p>1.1 A waiver from listing rule 7.3.8 to the extent necessary to permit the resolution in the Company's notice of meeting to approve the issue of a total of up to 175,000,000 ordinary shares of the Company under a proposed share purchase plan in accordance with Australian Securities and Investments Commission Class Order 09/425 (the "Plan") not to include a voting exclusion statement on condition that any votes cast on that resolution by any proposed underwriter or sub underwriter are disregarded.</p>
Basis For Decision	<p>Underlying Policy 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> <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 prospectus -all security holders able to participate on equal terms - waiver granted to permit votes of security holders who participate in the Plan only to the extent of their entitlement to be counted -- underwriter (and any persons who sub-underwrite or apply for the shortfall under the Plan) is subject to a voting exclusion statement.</p>

Rule Number	7.40
Date	27/01/2011
ASX Code	AOH
Listed Company	ALTONA MINING LIMITED
Waiver Number	WLC110024-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Altona Mining Limited (the "Company") waivers from the following listing rules, and gives the following confirmations, to the extent necessary to permit the Company to undertake a capital raising by way of an accelerated nonrenounceable pro rata entitlement offer of the Company's shares (the "Entitlement Offer") and a placement (the "Placement") to raise approximately \$45 million.</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 open 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 imposition of the trading halt in the Company's shares (other than registrations of transactions which were effected through ASX Trade before the announcement). In respect of shareholdings registered in the name of 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 Entitlement Offers in respect of shares held as nominee for Institutional Shareholders and Retail Entitlement Offers in respect of shares held as nominee for other persons).</p> <p>(b) Institutional Entitlement Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p> <p>1.2. 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 Entitlement Offer, subject to the following conditions.</p> <p>1.2.1. The Placement is not to exceed 25% of the Company's currently issued fully paid ordinary shares;</p> <p>1.2.2. 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>1.2.3. In the event that Entitlement Offer does not proceed, the Company's 15% placement capacity under listing rule 7.1 is to be diminished by that number of shares issued under the Placement that exceeded the Company's 5% placement capacity under listing</p>

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	<p>rule 7.1 at the time of the Placement; 1.2.4. The Entitlement Offer is fully underwritten. 1.3. ASX confirms to the Company that any additional shares issued to reconcile Institutional Shareholders' entitlements so that all eligible shareholders 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 shares issued under the Entitlement Offer does not exceed the number of shares that could be issued under a pro rata offer in the ratio of the Entitlement Offer.</p>
<p>Basis For Decision</p>	<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 renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - waiver granted on condition the timetable is acceptable to ASX.</p>

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Rule Number	7.40
Date	20/01/2011
ASX Code	VXR
Listed Company	VENTUREX RESOURCES LIMITED
Waiver Number	WLC110036-003
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Venturex Resources Limited (the "Company"), a waiver from the following listing rules to permit the Company to undertake a capital raising to raise approximately A\$35.97 million by way of an accelerated non-renounceable entitlement offer (the "Entitlement Offer") and an institutional placement in conjunction with the Entitlement Offer (the "Placement").</p> <p>1.1. Listing rules 3.20.2 and 7.40 to the extent necessary 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>
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	10.1
Date	21/01/2011
ASX Code	CQO
Listed Company	CHARTER HALL OFFICE REIT
Waiver Number	WLC110028-001
Decision	1. Based solely on the information provided, ASX Limited ("ASX") grants Charter Hall Office REIT (the "Trust") a waiver from listing rule 10.1 to the extent necessary to permit the Trust to sell a 50% interest in its US asset portfolio to a wholesale fund managed by Charter Hall Funds Management Limited, a wholly owned subsidiary of Charter Hall Group and a related party of the Trust, without obtaining unitholder approval.
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders for an acquisition or disposal of a substantial asset from a 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> <p>Present Application Disposal of substantial asset by listed trust to unlisted fund-responsible entities of asset-owning trust and asset-acquiring fund are wholly owned subsidiaries of the same parent entity - parent entity currently has a relevant interest of 15.6% in the trust - not proposed that parent entity or any of its associates will hold any units in the fund - disposal in line with disclosed strategy of both the current and former (unrelated) responsible entities of the trust - no incentive and limited potential to shift value from the trust to the fund by disposing of the substantial asset at an undervalue or in a way that disadvantages the trust's unitholders waiver granted.</p>

Rule Number	10.11
Date	27/01/2011
ASX Code	AOH
Listed Company	ALTONA MINING LIMITED
Waiver Number	WLC110024-004
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Altona Mining Limited (the "Company") waivers from the following listing rules, to the extent necessary to permit the Company to undertake a capital raising by way of an accelerated nonrenounceable pro rata entitlement offer of the Company's shares (the "Entitlement Offer") and a placement (the "Placement") to raise approximately \$45 million.</p> <p>1.1. In respect of the Entitlement Offer:</p> <p>1.1.2. 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>(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 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 Entitlement 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 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 on or before the record date ("Institutional Bookbuild").</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 received an offer in the Institutional Entitlement Offer and Foreign Excluded Investors, are offered a number of 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>(e) Entitlements not taken up in the Retail Entitlement Offer, and, if the underwriters determine, entitlements which would have been offered to Retail Foreign Excluded Investors, are offered to Institutional Shareholders (including investors who are not shareholders as at the Record Date) through a bookbuild process immediately following the close of the Retail Offer (the "Retail Bookbuild").</p> <p>(f) Shares are offered under the Institutional Entitlement Offer and Retail Entitlement Offer at the same price.</p> <p>(g) 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</p>

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	<p>offer documents to be sent to all shareholders.</p> <p>1.1.3. In resolution 1.1.1, 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 ASX Trade before the announcement). In respect of shareholdings registered in the name of 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 Entitlement Offers in respect of shares held as nominee for Institutional Shareholders and Retail Entitlement Offers in respect of shares held as nominee for other persons).</p> <p>(b) Institutional Entitlement Offers will be treated as being made to the nominee, even where made directly to the Institutional Shareholder for whom it holds.</p>
<p>Basis For Decision</p>	<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 renounceable entitlement offer - functionally equivalent to renounceable pro rata offer - first round offer to institutions - second round offer to other shareholders - 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	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-015
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 10.11 to the extent necessary to permit the Company to issue or agree to issue securities to a related party without securityholder approval under that rule subject to the following conditions.</p> <p>1.1 The Company complies with the requirements imposed on the Company under the TSX listing rules in relation to the issue of securities to related parties.</p> <p>1.2 Where the Company seeks shareholder approval for the issue of securities to a related party, the votes of the related party (and its associates) not be counted and a voting exclusion statement be included in the notice of meeting</p> <p>1.3 Each year, the Company provides the ASX with certification of continued compliance with the requirements imposed under the TSX listing rules.</p>
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 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 Foreign incorporated company - primary listing on TSX - majority of securityholders will hold their securities on TSX and most of the trades in the company's securities will occur on TSX - company's operations are based outside Australia - company required to comply with both ASX listing rules and TSX listing rules for the issue of securities to related parties - TSX rules make different provisions for regulating issues of securities to related parties - consistent with ASX policy on foreign entities to grant waiver so that company is not required to seek securityholder approval under listing rule 10.11 when TSX rules are complied with - waiver granted.</p>

Rule Number	10.11
Date	19/01/2011
ASX Code	LSL
Listed Company	LUMINUS SYSTEMS LIMITED.
Waiver Number	WLC110031-002
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Luminus Systems Limited (the "Company") the following waivers.</p> <p>1.1 A waiver from listing rule 10.11 to the extent necessary to permit the Company to issue up to \$15,000 worth of securities to each of its related parties under the Plan without obtaining shareholder approval, on condition that all related parties are offered securities under the Plan on the same terms as other shareholders.</p>
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 - 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 security purchase plan without a prospectus - all security holders able to participate on equal terms - proposed terms of the Plan does not come within exception 8 of listing rule 10.12 - waiver granted to permit related parties to participate in the Plan, on condition that participation is on same terms as unassociated shareholders.</p>

Rule Number	10.11
Date	20/01/2011
ASX Code	VXR
Listed Company	VENTUREX RESOURCES LIMITED
Waiver Number	WLC110036-004
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Venturex Resources Limited (the "Company"), a waiver from the following listing rules to permit the Company to undertake a capital raising to raise approximately A\$35.97 million by way of an accelerated non-renounceable entitlement offer (the "Entitlement Offer") and an institutional placement in conjunction with the Entitlement Offer (the "Placement").</p> <p>1.1 In relation to the Entitlement Offer, listing rules 7.1 and 10.11 to the extent necessary to permit the Company to issue shares under the Entitlement Offer without security holder approval, on condition that the Entitlement Offer complies with the following.</p> <p>1.2 On or before the record date, shareholders who are believed by the Company or any underwriters to the Entitlement Offer to be persons to whom offers of shares 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 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>1.3 Entitlements not taken up by Institutional Security Holders under the Institutional Offer, and, if any underwriters 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 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.</p> <p>1.4 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>1.5 All security holders, other than shareholders who received an offer in the Institutional Offer and Foreign excluded Investors, ("Retail Security Holders") are offered a number 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>1.6 Shares are offered under the Institutional Offer and the Retail Offer at the same price.</p> <p>1.7 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>

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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	10.13.3
Date	10/12/2010
ASX Code	SMN
Listed Company	STRUCTURAL MONITORING SYSTEMS PLC
Waiver Number	WLC110034-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Structural Monitoring Systems plc (the "Company") a waiver from listing rules 10.13.3 to the extent necessary to permit the Company's notice of meeting (the "Notice") to approve the issue of a maximum of 2,500,000 fully paid ordinary shares ("Shares") in lieu of director's fees Mr Sam Wright, to state that the Shares will be issued later than 1 month after the date of the shareholders' meeting, subject to paragraphs 1.1 and 1.2 below.</p> <p>1.1 The Shares will be issued to Mr Wright no later than 31 December 2010.</p> <p>1.2 The Company releases the terms of the waiver to the market immediately.</p> <p>1.3 The Shares approved by shareholders may only be issued in respect of entitlements to director's fees accrued by Mr Wright up to 31 December 2010.</p> <p>1.4 The Company's annual report for any period during which Shares are issued to Mr Wright, 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 Mr Wright under the terms of the waiver.</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 Securities to be issued to director in-lieu of director's fees over a 3 month period - securities to be issued at a fixed price - maximum number of securities known - waiver granted on condition that securities are issued within the time frame stipulated and approved by shareholders at the entity's general meeting and otherwise no later than 31 December 2010 - annual report discloses details of relevant securities that have been issued - waiver effective only for entitlements to director's fees - potential for dilution limited as minimal time extension.</p>

Rule Number	10.14
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-016
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants a waiver from listing rule 10.14 to the extent necessary to permit the Company to allow directors (and their associates) to acquire securities under an employee incentive scheme without shareholder approval under that rule on condition that:</p> <p>1.1 The Company complies with the TSX rules in relation to issues of securities to related parties under employee incentive schemes.</p> <p>1.2 Where the Company seeks shareholder approval for the issue of securities to a related party, the votes of the related party (and its associates) not be counted and a voting exclusion statement be included in the notice of meeting.</p> <p>1.3 Each year, the Company provides ASX with certification of continued compliance with the requirements imposed under the TSX rules.</p>
Basis For Decision	<p>Underlying Policy Requirement to obtain approval of security holders to an issue of securities to related party even if under an employee incentive scheme - directed at preventing related party 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 Foreign incorporated company - primary listing on TSX - majority of shareholders hold their securities on TSX - company's operations are based outside Australia - company required under TSX rules to have security based compensation arrangements approved by a majority of the company's directors and shareholders - must be approved every 3 years - under those rules, insiders entitled to receive a benefit not eligible to vote their securities to approve the arrangement if the securities issuable to them exceed 10% of issued capital - TSX rules make different provisions for regulating issues of securities to related parties under employee incentive schemes than ASX rules - consistent with ASX policy on foreign entities to grant waiver so that company is not required to seek shareholder approval under listing rule 10.14 when TSX rules are complied with - waiver granted.</p>

Rule Number	10.18
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-017
Decision	1. Based solely on the information provided, ASX Limited ("ASX") grants 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 officers of the Company pursuant to the terms of their 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 Company incorporated in Canada and listed on TSX - Canadian law permits termination payments upon change in control - waiver permitted in respect of existing employment contracts only.</p>

Rule Number	10.19
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-018
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants waiver from listing rule 10.19 to the extent necessary to permit the Company not to seek the approval of holders of ordinary securities to those employment agreements between the Company and certain officers of the Company whereby termination benefits in excess of 5% of the Company's equity interests may become payable to those officers, on condition that the Company's prospectus discloses details, to the satisfaction of ASX, regarding the amount and nature of the termination benefits to be paid pursuant to those agreements.</p>
Basis For Decision	<p>Underlying Policy Officer of entity or child entity must not be entitled to termination benefits without security holder approval. If the value of benefits exceeds 5% of equity interest of the entity - enables security holders to review and approve proposed increases in executive remuneration.</p> <p>Present Application Company regulated by canadian law and listed on tsx - company has existing employment contracts that provide for the payment of termination benefits in excess of 5% of company's equity interests - waiver granted on condition that company's prospectus contains sufficient disclosure in relation to the termination benefits.</p>

Rule Number	14.7
Date	12/01/2011
ASX Code	CVI
Listed Company	CVI ENERGY CORPORATION LIMITED
Waiver Number	WLC110038-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants CVI Energy Corporation Limited (the "Company") a waiver from listing rule 14.7 to the extent necessary to permit the Company to issue up to 200,000,000 ordinary shares fully paid pursuant to a prospectus and up to 120,000,000 ordinary shares fully paid to Celtic Capital Pty Ltd as trustee for the Celtic Capital Trust (and/or its nominee/s) on conversion of a loan, as approved by shareholders at the general meeting held on 22 September 2010 on the following conditions.</p> <p>1.1 The shares are issued by no later than 22 March 2011.</p> <p>1.2 The Company immediately releases the terms of this waiver to the market.</p>
Basis For Decision	<p>Underlying Policy If a notice of meeting states that entity will do something that the listing rules require it to do, the entity must do that thing - supports listing rule requirements.</p> <p>Present Application Shareholder approval given to issue shares to three parties in connection with a recapitalisation proposal - Company required court orders to correct previous error in Company capital structure - timing of obtaining court orders outside of Company's control - Company's securities are suspended from official quotation - circumstances have not changed since shareholder approval was obtained - Company to announce waiver to the market - waiver granted to permit shares to be issued by 22 March 2011.</p>

Rule Number	14.7
Date	21/01/2011
ASX Code	NLS
Listed Company	NARHEX LIFE SCIENCES LIMITED
Waiver Number	WLC110032-001
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants Narhex Life Sciences Limited (the "Company") a waiver from listing rule 14.7 to the extent necessary to permit the Company to issue up to 250,000,000 shares at an issue price of \$0.01 per share to raise \$2,500,000 pursuant to a prospectus more than 3 months after shareholder approval granted at the Company's General Meeting on 5 November 2010.</p> <p>2. Resolution 1 is subject to the following conditions.</p> <p>2.1. The shares are issued by no later than 31 March 2011.</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 Shareholder approval given to issue shares in connection with a recapitalisation proposal - includes shares to be issued under a prospectus - delay in effectuation of deed of company arrangement has delayed lodgement of prospectus - prospectus lodged only nineteen days prior to three month time limit in which to issue securities - Company's securities are suspended from official quotation - circumstances have not changed since shareholder approval was obtained - Company to announce waiver to the market - waiver granted to permit shares to be issued by 31 March 2011.</p>

Rule Number	15.12
Date	27/01/2011
ASX Code	BNC
Listed Company	BIONICHE LIFE SCIENCES INC.
Waiver Number	WLC110027-019
Decision	<p>1. Based solely on the information provided, ASX Limited ("ASX") grants 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 listing rules would require the issue of restricted securities, unless the Constitution has first been amended to include those provisions. The undertaking is to be given and executed in the form of a deed.</p>
Basis For Decision	<p>Underlying Policy Requirement that entity's constitution contain provisions dealing with restricted securities - supports escrow regime.</p> <p>Present Application Entity's constitution does not contain the requirements set out under listing rule 15.12 - waiver granted on the basis of entity undertaking not acquire any classified asset in circumstances where restricted securities would be required to be issued in consideration for asset without first amending its constitution to incorporate the relevant provisions.</p>