



ASX Circular

Date: 21 December, 2007

Key topics

1. Macquarie Capital Securities (Australia) Limited

Reading List

Client Advisers
 Compliance Managers
 DTR Operators
 Managing Directors
 Office Managers
 Operations Managers (back office)

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No responsibility is accepted for any inaccuracies contained in the matter published.

DISCIPLINARY MATTERS

The ASX Disciplinary Tribunal ("the Tribunal") has determined the following:

Macquarie Capital Securities (Australia) Limited ("MCSAL"), formerly Macquarie Securities (Australia) Limited, has been fined a total of \$25,000 plus GST in respect of the contravention of:

ASX Market Rule 16.12.3 in that it failed to report transactions covered by Market Rule 16.12 by the time and in the manner set out in the ASX Market Rule Procedures.

In determining sanction the Tribunal took into account a number of matters including the following:

- (a) MCSAL indicated at an early stage that it would not contest the proceedings;
- (b) MCSAL co-operated fully with ASX in relation to the conduct of the investigations and proceedings; and
- (c) The contravention may have deprived the market of timely information relevant to the state of trading in the securities of FGL.

The circumstances of the matter are detailed as follows:

On 12 April 2007, MCSAL entered into a transaction to purchase 20,000,000 Fosters Group Limited ("FGL") ("the first transaction"), and effected this trade as a Facilitated Specified Size Block Special Crossing ("FSSBSC") which it was entitled to do.

On 12 April 2007, MCSAL sent an initial trade notification to ASX Market Control advising that it had effected a sale of 1,000,000 FGL as an FSSBSC ("the second transaction").

On 12 April 2007, MCSAL sent an initial trade notification to ASX Market Control advising that it had effected a sale of 15,000,000 FGL as an FSSBSC ("the third transaction").

On 12 April 2007, MCSAL sent an initial trade notification to ASX Market Control advising that it had effected a sale of 4,000,000 FGL as an FSSBSC ("the fourth transaction").

The second transaction, the third transaction and the fourth transaction were reported in the Trading Platform by MSAL at 4.22pm on 12 April 2007.

The second transaction, the third transaction and the fourth transaction were effected to unwind the first transaction, and were not able to be reported as FSSBSC.