

CIRCULAR



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To: All Members

154/98

No:

Legal Update Series

⇒ Recent Additions to the List of Recognised Foreign Futures Exchanges

Attached is Legal Update L2/98 providing details of additional foreign exchanges for inclusion in Schedule 11 to the Corporations Regulations.

Please circulate to the relevant staff, in particular compliance and legal personnel, in your office as soon as possible. Where Members have indicated relevant staff, the update will be directly circulated to those staff as well.



Legal Update

No: L2/98

Issued: 26 May 1998

Recent Additions to the List of Recognised Foreign Futures Exchanges

Introduction

This legal Update provides a summary of the recent amendments to Schedule 11 in the Corporations Regulations and a progress report regarding proposed amendments to the same schedule. The effect of the amendments is to allow Members to deal on various additional foreign exchanges.

Latest List of Additions

On the 3 February 1998 the Sydney Futures Exchange (SFE) supplied applications to the Australian Securities Commission (ASC) for the inclusion of seven additional foreign exchanges in Schedule 11 of the Corporations Regulations. The ASC reviewed these applications and recommended to Treasury that the following six foreign exchanges be added to Schedule 11.

- .. **Bolsa de Derivados do Porto (The Portuguese Futures and Options Exchange) (BDP)**
- .. **Italian Stock Exchange**
- .. **Korea Stock Exchange (KSE)**
- .. **Kuala Lumpur Commodity Exchange (KLCE)**
- .. **Kuala Lumpur Options and Financial Futures Exchange (KLOFFE)**
- .. **Malaysian Monetary Exchange (MME)**

The SFE was advised by the ASC on 21 May 1998 that the Treasury has finalised an amendment to the Corporations Regulations which inserts the names of the above mentioned exchanges into Schedule 11 of those Regulations. This amendment has effect from its gazettal on 27 May 1998. A copy of the Corporations Regulations (Amendment) and an unamended version of Schedule 11 are included in Annexures A and B respectively.

Deletions from Schedule 11

The Treasury has also amended Schedule 11 by deleting the **London Commodity Exchange (LCE)**. This amendment was made pursuant to the SFE's request following LCE's merger with the London International Financial Futures Exchange (LIFFE).

Exchanges not in Schedule 11

- .. **Maebashi Dried Cocoon Exchange**

Despite numerous attempts to seek information from the Maebashi Dried Cocoon Exchange no

information has been forthcoming.

“ **Chubu Commodity Exchange**

An application made by the SFE to the ASC, for the inclusion of the Chubu Commodity Exchange (CCE) in Schedule 11 was rejected due to lack of information concerning the CCE's market regulation. Dialogue is continuing between CCE and SFE to determine if CCE is appropriate for inclusion in Schedule 11.

“ **Finnish Options Exchange (FOE)**

“ **Helsinki Securities & Derivatives Exchange (HSDE)**

SFE will consider FOE, HSDE and other Exchanges for inclusion in Schedule 11 later this year.

If Members are aware of any additional Exchanges which should be considered for inclusion in Schedule 11 or for further information regarding the above matter, please contact Ben Thompson on (02) 9256 0599.

NB: The above information is for the information of Members and does not purport to be legal advice. The note should be read in conjunction with the Legislation and any ASC practice notes. Where appropriate, legal or other professional advice should be sought.



Statutory Rules 1998 No.

Corporations Regulations¹ (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Corporations Act 1989*.

Dated 20 MAY 1998 1998.

WILLIAM DEANE

Governor-General

By His Excellency's Command,

Parliamentary Secretary to the Treasurer
for the Treasurer

1. Commencement

1.1 These Regulations commence on gazettal.

2. Amendment

2.1 The Corporations Regulations are amended as set out in these Regulations.

3. Schedule 11 (Chapter 8—The Futures Industry)**3.1 After item 4, insert:**

"4A Bolsa de Derivados do Porto (The Portuguese Futures and Options Exchange) (BDP)".

3.2 Item 18:

Omit the item, substitute:

"18 Italian Stock Exchange

18A Korea Stock Exchange (KSE)

18B Kuala Lumpur Commodity Exchange (KLCE)

18C Kuala Lumpur Options and Financial Futures Exchange (KLOFFE)".

3.3 After item 20, insert:

"20A Malaysia Monetary Exchange (MME)".

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1998.
2. Statutory Rules 1990 No. 455 as amended by 1991 Nos. 218, 219, 281, 341, 453, 478 and 479; Act No. 200, 1991; Statutory Rules 1992 Nos. 230, 281, 364, 395 and 450; 1993 Nos. 135, 207 and 277; 1994 Nos. 35, 108, 153, 221, 251, 302 and 430; 1995 Nos. 222, 344, 345 and 398; 1996 Nos. 26, 51, 55, 90, 205, 218 and 343; 1997 Nos. 10, 81, 102 and 142; 1998 Nos. 9 and 22.

ANNEXURE "B"

Australian Corporation Law — Legislation

SCHEDULE 11

Chapter 8 — The Futures Industry Recognised Futures Exchanges

Regulation 8.2.02

Column 1	Column 2
Item No.	Futures Exchange
1	Austrian Futures and Options Exchange (OTOB)
2	Belgium Futures and Options Exchange (BELFOX)
3	Board of Trade of the City of Chicago (CBOT)
4	Board of Trade of Kansas City, Missouri, Inc. (KCBT)
5	Bolsa de Mercadorias & Futuros (Commodities & Futures Exchange, Brazil) (BM & F)
6	Chicago Mercantile Exchange (CME)
7	Coffee, Sugar and Cocoa Exchange, Inc. (CSCE)
8	Commodity Exchange Inc. (COMEX)
9	Copenhagen Stock Exchange (including FUTOP Clearing Centre (FUTOP))
10	Deutsche Terminbörse (German Futures Exchange) (DTB)
11	European Options Exchange (EOE)
12	Financial Futures Exchange Barcelona (MEFF-RF)
13	Financial Futures Exchange Madrid (MEFF-RV)
14	Financieel Termijnmarkt Amsterdam N.V. (Financial Futures Market Amsterdam) (FTA)
15	Hong Kong Futures Exchange Ltd (HKFE)
16	The International Petroleum Exchange of London Ltd. (IPE)
17	Italian Futures Exchange (MIF)

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18	London Commodity Exchange (LCE)
19	The London International Financial Futures Exchange Ltd. (LIFFE)
20	The London Securities and Derivatives Exchange Limited (OLMX)
21	Marché à Terme International de France (The French International Futures Market) (MATIF)
22	Marché des Options Négociables de Paris (Paris Traded Options Market) (MONEP)
23	Mercados de Futuros Financieros, SA (Spanish Financial Futures Market) (MEFFSA)
24	The Metal Market and Exchange Company Ltd. (London Metal Exchange) (LME)
25	Mid America Commodity Exchange (MIDAM)
26	Minneapolis Grain Exchange (MGE)
27	The Montreal Exchange (ME)
28	New York Cotton Exchange (NCE)
29	New York Futures Exchange, Inc. (NYFE)
30	New York Mercantile Exchange (NYMEX)
31	New Zealand Futures & Options Exchange Ltd. (NZFOE)
32	OM Stockholm AB (OMS)
33	Osaka Securities Exchange (OSE)
34	Oslo Stock Exchange (OLSO)
35	Philadelphia Stock Exchange (PHLX)
36	Philadelphia Board of Trade (PBOT)
37	Singapore Commodity Exchange Limited (SICOM)
38	The Singapore International Monetary Exchange Limited (SIMEX)
39	South African Futures Exchange (SAFEX)
40	Swiss Options and Financial Futures Exchange (SOPFEX)

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- 41 Tokyo Commodity Exchange for Industry (TOCOM)
- 42 Tokyo Grain Exchange (TGE)
- 43 Tokyo International Futures Exchange (TIFFE)
- 44 Tokyo Stock Exchange (TSE)
- 45 The Toronto Futures Exchange (TFE)
- 46 The Winnipeg Commodity Exchange (WCE)

[Sch 11 am SR 281 of 1991 regs 20.1-20.3, eff 11 September 1991; SR 153 of 1994 regs 2.1-2.3, eff 8 June 1994 am SR 142 of 1997 reg 2, eff 23 June 1997]

Tony Dreise
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26/05/98

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