

# AUSTRALIAN STOCK EXCHANGE LIMITED

ABN 98 008 624 69

Exchange Centre, 20 Bridge Street  
Sydney NSW 2000

**"ASX SUPPLEMENTAL COMPENSATION FUND"**  
(Established under Division 3 of Part 7.5 of the Corporations Act 2001)

## CLAIM FORM

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**WHERE TO SEND  
YOUR CLAIM FORM**

**Post it to:**

**Secretary, Claims Review Panel**  
Australian Stock Exchange Limited  
PO Box H 224  
Australia Square  
NSW 1215  
Attention: Mr A. D'Arcy

**OR**

**Deliver it to:**

Secretary, Claims Review Panel  
Australian Stock Exchange Limited  
Exchange Centre  
20 Bridge Street  
Sydney NSW 2000  
Attention: Mr A. D'Arcy

# GUIDE TO COMPLETING THIS FORM

**\*\*Please read carefully\*\***

## WHAT YOU NEED TO DO

- Use this form if you have entrusted property (eg, money or securities) or authority over property to a broker in respect of dealings or proposed dealings in Futures, or a broker has received property or an authority over property on your behalf in the course of the broker's business in dealing in Futures, **and** you have suffered a loss because of the brokers misappropriation or fraudulent misuse of the property or the authority over the property.
- You should lodge your claim as soon as possible after you become aware of your loss.
- A Claim for compensation from the Fund must be made within 6 months after the claimant became aware of the relevant loss (or, if a notice has been published by ASX specifying a date on or before which claims in relation to a person, firm, circumstance or set of circumstances described in the notice, may be made, before the date specified in that notice). Claims not made within those time limits are barred unless the Authority or the Claims Review Panel otherwise determines (the onus being on you to establish that it is appropriate for it to do so).
- Keep a copy of the completed claim form and any other papers attached to the form so that you have your own record.

## STEPS FOR COMPLETION AND LODGEMENT OF CLAIM FORM

### STEP 1

- When completing the claim form, please print clearly. Follow the "go to" instructions on the form and attach further information on separate pages if there is not enough space on the form.

The person completing the form must sign the Statutory Declaration in front of a Justice of the Peace or Solicitor, who will also sign the form as a witness. Before you sign the Declaration read it carefully.

The onus is on you to prove your claim so ensure you include all relevant information or documentation which goes towards proving your claim, for example, any receipt or other documentation showing that the property was delivered to the broker.

- If your claim is outside the time limit, you also need to provide information which is relevant to the Claim Review Panel's consideration of whether it is appropriate to waive the time restriction. The factors which the Panel may take into account include:
  - the extent of the delay in lodging a claim;
  - any reason or excuse for the delay;
  - the degree of your commercial experience or inexperience;

- whether any particular hardship will be caused to you;
- any other matter which you consider relevant for the Panel's consideration.

The Panel may also consider general policy issues, including the efficient administration of the Compensation Fund and any prejudice likely to be suffered by reason of the delay in lodging the claim (eg. in investigating the claim, or with respect to the exercise or enforcement of ASX's own rights of recovery upon allowance of the claim).

## STEP 2

- Post or deliver your claim form and any attachments to Secretary of the Claims Review Panel at the address on the coversheet.

<p style="text-align: center;"><b>WHAT WILL HAPPEN AFTER YOU SEND YOUR CLAIM TO THE SECRETARY OF THE CLAIMS REVIEW PANEL</b></p>
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- You will get a letter advising that your claim has been received.
- You must be prepared to help ASX with investigation of your claim. ASX management must check that the claim is valid and may need to seek further information from you, your broker or other sources, if necessary.

(In some cases, ASX's investigations will show that the property is available for return to you. Where this happens, you will be advised when to expect receipt of the property and further consideration of the claim may not be necessary.)

- Once ASX has completed its investigations, ASX management presents the claim to the Claims Review Panel, who after reviewing the claim, determines whether or not to allow the claim.
- ASX will advise you of the Panel's decision.

There are monetary limitations on claims under the rules of the Compensation Fund. Please refer to [www.asx.com.au](http://www.asx.com.au) for the details of these limitations.

### CLAIM FORM

#### 1 CLIENT'S PERSONAL DETAILS

Surname / Family name

Given name(s)

Mr  Ms  Other (Title)

Mrs  Miss  .....

Home address

  
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.....  
.....Post Code .....

Postal address (or "as above")

  
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.....  
.....  
.....  
.....Post Code .....

Home telephone number

 ( )

Work telephone number

 ( )

Occupation

#### CLIENT'S PERSONAL DETAILS

\*(please see note below)

Surname / Family name

Given name(s)

Mr  Ms  Other (Title)

Mrs  Miss  .....

Home address

  
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.....Post Code .....

Postal address (or "as above")

  
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.....  
.....Post Code .....

Home telephone number

 ( )

Work telephone number

 ( )

Occupation

\* Complete if more than one claimant

**2 AGENCY**

Are you lodging this claim form on behalf of another person ?

No. Go to 3.

Yes. What is the basis of you doing so ?

Power of Attorney

Other. Please specify .....

**PERSONAL DETAILS OF AGENT**

Surname / Family name

Given name(s)

Mr  Ms  Other (Title)

Mrs  Miss  .....

Postal address

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..... Post Code .....

Work telephone number

**3. DETAILS OF TRANSACTION**

**Name and address of broker to whom property was entrusted:**

Name of Broker: .....
Address: .....
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**Date/s property was supplied to the broker (approximate if necessary)**

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...../...../.....*
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**A description of the entrusted property is as follows:**

- |  | <b>DETAILS</b> |
|--|----------------|
| (a) If money, amount   | .....          |
| (b) If securities:   | .....          |
| (i) name of issuer   | .....          |
| (ii) type of security  | .....          |
| (iii) certificate or marking/<br>split identification number   | .....          |
| (c) Other  | .....          |
| (d) Date property or authority over the<br>property was received by the broker                       | .....          |
| (e) If available, name of person to whom the<br>property or authority over the property<br>was given | .....          |
| (f) Reason for giving property or authority<br>over the property to the broker                       | .....          |

**A description of the actual or proposed transactions in respect of which you entrusted the property to the broker is as follows:**

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**4 IS/ARE THERE ANY OUTSTANDING LIABILITY/IES/AMOUNTS OWING BY YOU/THE CLIENT TO THE BROKER?**

No.

Yes. Please supply details (attach information if there is insufficient space).

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**5. DETAILS OF LOSS**

Please supply details of your brokers misappropriation or fraudulent misuse of your property or authority over your property (including any proof you have to substantiate your allegations).

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**6. VALUE OF LOSS**

Please supply details of the quantum of your loss, (in respect of property other than money, this should be calculated by reference to the market value of the property as at the date on which the loss was suffered) and the costs of, and disbursements incidental to, the making of this claim.

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**7. OTHER CLAIMS**

Please supply details of any other claim that has been made in respect of this loss (whether under another Compensation arrangement or under any law or contract).

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**8 OTHER INFORMATION**

Please supply any further information or attach any documents that may be relevant to your claim.

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\* *Complete for each item of property which was entrusted on different dates. If necessary, attach a separate sheet giving relevant details of all relevant property.*

**9 TIME LIMIT**

If your claim is outside the time limit, please supply any information and attach any documents you believe may be relevant to the Claims Review Panel in deciding whether to waive the time restriction.

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**STATUTORY DECLARATION**

You must sign this Statutory Declaration and it must be witnessed by a Justice of the Peace or Solicitor.

I/We state:

- All the information given in this claim form and any attachments to it is true and correct in every respect.
- The above property/authority over property was supplied to the broker in the course of, or in connection with the broker's business of dealing in Futures.
- The obligations of the stockbroker to me/us/the client in respect of the property has/have not been discharged.
- I/we have suffered a loss through the broker's defalcation or fraudulent misuse of the property/authority over the property.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING THE SAME TO BE TRUE, AND BY VIRTUE OF THE PROVISIONS OF THE OATHS ACT 1900.

Signature/s of Claimant/s or Agent

Signed before me:

Signature of Justice of the Peace or Solicitor

On: *(date)*

At (place)

Justice of the Peace or Solicitor's name *(Please print)*

Address

Address: .....

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..... Post Code .....