



## **Register of ASX 24 Operating Rules Rule Waivers**

**16 to 31 May 2013**

**The purpose of this register is to record when ASX has exercised its discretion and granted a waiver from the ASX 24 Operating Rules rules. Waivers are published bi-monthly and include information such as:**

- Organisation**
- Rule Number**
- Decision Details**
- Basis for Decision**

**For all product enquiries, please contact:  
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<b>Rule Number</b>	1000(b)
<b>Date</b>	29/04/2013
<b>Participant</b>	World Financial Desk LLC
<b>Waiver Number</b>	WPA130003-001
<b>Decision</b>	The application should be granted.
<b>Basis For Decision</b>	<p><b>Underlying Policy</b> Where a Participant is not required to register as a foreign corporation in Australia under Division 2 of Part 5B.2 of the Corporations Act and they meet the requirements of ASIC Class Order 03/1103 they are permitted to request a waiver of ASX Operating Rule 1000(b) and 1000(c) and ASX 24 Operating Rule 1000(b) and 1000(c) under ASX and ASX 24 policy.</p> <p><b>Present Application</b> Based solely on the information provided and similar waivers requested and approved, ASX Limited grants WFD a waiver from ASX 24 Operating Rule 1000(b). This waiver is subject to the following conditions being satisfied on an ongoing basis for the waiver to continue to have effect:</p> <p>With regards to ASX 24 Operating Rule 1000(b) WFD:</p> <ul style="list-style-type: none"> <li>* is a foreign Limited Liability Company;</li> <li>* continues to be registered as a Limited Liability Company in the USA;</li> <li>* does not have a place of business nor any physical presence in Australia;</li> <li>* conducts no physical activity or trading in Australia;</li> <li>* does not establish or use a share transfer office in Australia;</li> <li>* does not administer, manage, or deal with property situated in Australia, as an agent, legal personal representative or trustee;</li> <li>* does not issue debentures in Australia and/or as a guarantor for a company that does;</li> <li>* does not engage in conduct that is intended to induce persons in Australia to utilise the financial services it provides; and</li> <li>* does not, nor is it permitted to, carry on business in Australia.</li> </ul>



<b>Rule Number</b>	1000(c)
<b>Date</b>	29/04/2013
<b>Participant</b>	World Financial Desk LLC
<b>Waiver Number</b>	WPA130003-002
<b>Decision</b>	The application should be granted.
<b>Basis For Decision</b>	<p><b>Underlying Policy</b> Where a Participant is not required to register as a foreign corporation in Australia under Division 2 of Part 5B.2 of the Corporations Act and they meet the requirements of ASIC Class Order 03/1103 they are permitted to request a waiver of ASX Operating Rule 1000(b) and 1000(c) and ASX 24 Operating Rule 1000(b) and 1000(c) under ASX and ASX 24 policy.</p> <p><b>Present Application</b> Based solely on the information provided and similar waivers requested and approved, ASX Limited grants WFD a waiver from ASX 24 Operating Rule 1000(c). This waiver is subject to the following conditions being satisfied on an ongoing basis for the waiver to continue to have effect:</p> <p>With regards to ASX 24 Operating Rule 1000(c) WFD:</p> <ul style="list-style-type: none"> <li>* continues to operate in accordance with the legal opinion provided as part of their application dated 24 October 2012;</li> <li>* must at all times comply with the Operating Rules, including those Operating Rules that require compliance with provisions in the Corporations Act 2001 (Cth) that apply to an Australian Financial Services Licensee ("AFSL Holder") (other than Operating Rules waived by ASX) notwithstanding that it is exempt under section 911A(2)(l) of the Corporations Act 2001 (Cth) from the requirement to hold an Australian Financial Services Licence ("AFSL"), subject to any waiver of an Operating Rule granted by ASX; and</li> <li>* must not provide a financial service or a financial product in Australia to a "Retail Client" (within the meaning of Chapter 7 of the Corporations Act 2001 (Cth)).</li> </ul>

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