



Register of ASX 24 Operating Rules Rule Waivers

16 to 31 August 2018

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:
- Customer Service Centre on 131 279**

ASX Limited ABN 98 008 624 691 and its related bodies corporate reserve all rights in the material incorporated in this publication. No part of this publication may be photocopied, reproduced, transcribed into or stored in a retrieval system or any other form of electronic medium, nor may it be transmitted in any form or by any means whether electronic, mechanical or otherwise without the prior written approval of the General Manager, Market Information, ASX Limited. NO RESPONSIBILITY IS ACCEPTED FOR ANY INACCURACIES IN THE MATTER PUBLISHED

Rule Number	4840(1)a
Date	23/08/2018
Participant	J.P. Morgan Securities Australia Limited
Waiver Number	WPA180005-001
Decision	Australian Securities Exchange Limited (ASX) grants J.P. Morgan Securities Australia Limited ("JPMSAL") a waiver from ASX24 Operating Rule 4840(1)(a) in the form and subject to the conditions detailed below.
Basis For Decision	<p>Underlying Policy ASX has previously granted waivers to ASX 24 Trading Participants with offshore Related Body Corporates which relieve those participants from the requirement to report the beneficial holder of each Open Position on T+1 and instead report Open Positions held through the offshore Related Body Corporates at the omnibus level on T+1 and at the beneficial holder level on T+2. These waivers were historically granted on the basis that it was difficult for ASX 24 Trading Participants to retrieve beneficial holder information from their offshore Related Body Corporates by 8:00am on T+1 due to time-zone constraints around end-of-day processing. ASX is currently in the process of amending this policy to remove such waivers and require all participants to report on T+1.</p> <p>Present Application J.P. Morgan Markets Australia Pty Limited (JPMMAPL) held a waiver from ASX24OR 3500, now superseded by ASX24OR 4840 (WPA 140020), for which the principles of the rule remain unchanged. A Scheme of Arrangement (SOA) under section 413 of the Corporations Act took place on 18 August 2018 whereby the property and liabilities of JPMMAPL transferred to JPMSAL. As part of the process JPMSAL became an ASX24 Trading Participant and an ASX Clear (Futures) Clearing Participant and the nature of the business that transferred under the SOA, has not changed and therefore the reasons for the relief remain the same.</p> <p>ASX determines the issuing of the proposed relief to be a continuation of the existing waiver, with variation of conditions, under the new legal entity as a result of the Scheme of Arrangement. However, as noted above, ASX is currently in the process of amending this policy to remove existing relief and require then beneficial ownership of all Open Positions to be reported on T+1.</p> <p>To allow JPSAL the time necessary to make enhancements to its resources and processes to enable compliance with ASX24 Operating Rule 4840(1)(a) without reliance on the waiver ASX has determined that it will grant a conditional waiver for a period no longer than 17 May 2019.</p> <p>The waiver is subject to the following conditions:</p> <p>1. Only positions held in the account of the nominated offshore related body corporate may be reported in the Daily Beneficial Ownership Report (DBOR) at the omnibus level on T+1 all other</p>

Register of ASX 24 Operating Rules Rule Waivers

- positions must reported at the beneficial owner level by 8.00am on T+1;
2. JPMSAL must submit a separate report by 8:00am on the day after the DBOR is due (i.e. T+2), containing a breakdown of the positions that comprise the omnibus account, detailing all clients holding an Open Position and providing the same information in the same format required in the DBOR;
 3. At ASX's discretion, and upon notice, the positions of any client held within the account of the nominated offshore related body corporate, may be excluded from the terms of this waiver, and will be required to be submitted in a separate report by 8:00am T+1 containing the same information and in the same format required in the DBOR; and
 4. JPMSAL must make the necessary enhancements to its resources and processes to enable compliance with ASX24 Operating Rule 4840(1)(a) without reliance on the waiver by no later than 17 May 2019, at which point the waiver will be revoked.