



## MARKET ANNOUNCEMENT

3 August 2012

### ASX Compliance Monthly Activity Report – July 2012

#### Listings

| Listed Entities                | July 2012 |
|--------------------------------|-----------|
| Listed entities at month start | 2,211     |
| New listings                   | 5         |
| De-listings                    | 11        |
| Listed entities at month end   | 2,205     |

New listings for the month were Atrum Coal NL (ATU), Bannon Limited (BNX), Capilano Honey Limited (CZZ), Equaminal Holdings Limited (EQH) and US Masters Residential Property Fund (URF).

De-listings for the month were Brookfield Secured Bonds Series A Issuer Limited (BZA), Curnamona Energy Limited (CUY), Customers Limited (CUS), GE Capital Australia Funding Pty Ltd (GEA), Gloucester Coal Ltd (GCL), Hydromet Corporation Limited (HMC), Ideas International Limited (IDE), Ludowici Limited (LDW), Nexbis Limited (NBS), SMART Series 2007-3E Trust (SMB) and Strategic Pooled Development Limited (SPD).

| Key Listings Statistics                                    | July 2012 |
|--|-----------|
| Total company announcements                                | 9,549     |
| Price queries by ASX <sup>1</sup>                          | 31        |
| Other continuous disclosure queries by ASX <sup>2</sup>    | 33        |
| Aware letters sent by ASX <sup>3</sup>                     | 2         |
| Announcements made following a price query                 | 26        |
| Trading halts at the listed entity's request               | 83        |
| Trading halts following a query by ASX                     | 11        |
| Suspensions at the listed entity's request                 | 4         |
| Suspensions imposed by ASX for breach of the Listing Rules | 0         |

<sup>1</sup> Price queries are enquiries made by ASX (either by letter or phone) to a listed entity if it detects unusual movements in a listed entity's security price or trading volumes to ask if the listed entity is aware of any information that has not been announced which, if known, might explain the movements.

<sup>2</sup> Other continuous disclosure queries are queries (other than price queries) raised by ASX with listed entities when ASX has concerns the entity may not be in compliance with its continuous disclosure obligations under Listing Rules 3.1, 3.1A and 3.1B. Examples include a query made following a media report or an announcement lodged with ASX.

<sup>3</sup> Aware letters are sent by ASX following an announcement by a listed entity and ask for details of when the listed entity became aware of the material information contained in the announcement.

## Participants

| ASX Participants <sup>4</sup>                          | July 2012 |
|--|-----------|
| Market/Clearing/Settlement Participants at month start | 131       |
| New admissions   | 0         |
| Resignations and removals                              | 0         |
| Market/Clearing/ Settlement Participants at month end  | 131       |

| ASX 24 Participants                          | July 2012 |
|--|-----------|
| Trading/Clearing Participants at month start | 46        |
| New admissions                               | 0         |
| Resignations and removals                    | 0         |
| Trading/Clearing Participants at month end   | 46        |

## Enforcement

| Referrals to ASIC <sup>5</sup>  | July 2012 |
|---------------------------------|-----------|
| Continuous disclosure referrals | 0         |
| Other referrals                 | 5         |
| Total referrals to ASIC         | 5         |

| Enforcement Matters <sup>6</sup>                   | July 2012   |
|--|-------------|
| Open ASX enforcement matters at month start        | 1           |
| New enforcement matters commenced during the month | 3           |
| Enforcement matters concluded during the month     | 1           |
| Open ASX enforcement matters at month end          | 3           |
| Fines imposed during the month (excl GST)          | \$30,000.00 |

One Disciplinary Circular was released by the ASX Disciplinary Tribunal during the month. Copies of the Circulars are available online at: <http://www.asx.com.au/asx/group/disciplinaryAnnouncements.do>.

<sup>4</sup> Figures exclude Special Settlement Participants set up to effect a specific corporate action as their participation is only temporary.

<sup>5</sup> ASX is required, under sections 792B(2)(c) and 821B(2)(c) of the Corporations Act 2001, to refer a matter to ASIC if it has reason to suspect that a person has committed, is committing, or is about to commit a significant contravention of the ASX Group's Operating Rules or the Corporations Act. It should be noted that a single referral may relate to more than one potential contravention. It should also be noted that the fact a matter has been referred to ASIC does not necessarily mean that a contravention has been committed or that ASIC will take enforcement proceedings in relation to it.

<sup>6</sup> ASX has previously reported separately on pre- and post- 1 August enforcement matters. This reflected the fact that prior to 1 August 2010, ASX was responsible for supervising the ASX and ASX 24 markets and their participants, and for monitoring and enforcing compliance with the market rules for those markets. The responsibility for supervising the ASX and ASX 24 markets and their participants was transferred from ASX to ASIC on 1 August 2010 pursuant to the Corporations Amendment (Financial Market Supervision) Act 2010, and the market rules for the ASX and ASX 24 markets were effectively split into market integrity rules administered by ASIC and Operating Rules administered by ASX. However, ASX remained responsible for enforcing any breaches of the former market rules that occurred prior to 1 August 2010. ASX has now concluded all of the pre-1 August enforcement matters that were on foot as at 1 July 2012. The 3 new enforcement matters mentioned above are post-1 August matters. Going forward, any new enforcement matters, whether they relate to pre- or post- 1 August 2010 events will be reported on a combined basis.

## **ASX Rule Changes, Waivers and Exemptions**

Amendments to ASX Operating Rule Procedures 2024 and 4030 came into effect on 9 July 2012 to accommodate the new Centre Point block and sweep functionality and the ability to set a mid-tick limit price for Centre Point limit orders on ASX Trade.

Following consultation with ASIC, ASX Operating Rule Procedure 4060 was amended on 16 July 2012 to reflect the reduction of the hold period in a Centre Point priority crossing from 30 seconds to 1 second.

All of the ordinary shares in Blackthorn Resources Limited (BTR) on issue and all of the new shares issued under BTR's recent capital raising through an institutional placement and accelerated non-renounceable entitlement offer were included as a 'FOR Financial Product'<sup>7</sup> with effect from 7 June 2012. This effectively precludes certain ineligible foreign investors from acquiring or exercising the entitlement offers.

Details of these rule changes can be accessed online at: <http://www.asxgroup.com.au/recent-rule-amendments.htm>.

There were 32 waivers granted in relation to the ASX Listing Rules and 1 waiver in relation to ASX Operating Rules. Details of waivers and exemptions granted by ASX can be accessed online by clicking on the relevant rule book on the Rules, Guidance Notes and Waivers page on the ASX website (<http://www.asxgroup.com.au/rules-guidance-notes-and-waivers.htm>) and then clicking on the waivers tab.

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<sup>7</sup> FOR Financial Products means a class of Approved Financial Products included in Schedule 1 that are subject to aggregate foreign ownership restrictions pursuant to legislation or under the Issuer's constitution.