



## APPENDIX B

# Information to Support Exemption Applications

### 1 Required Information

#### Who is applying?

- 1.1 Give the full name, address, and corporate status of the person(s) seeking to be exempted from compliance with provisions of the Code.

#### What transaction is involved?

- 1.2 Provide a detailed description of the transaction for which the exemption is being sought.

#### What do you want an exemption from?

- 1.3 Identify the provisions of the Code from which an exemption is sought and any conditions of exemption you consider appropriate.

#### Why are you seeking this exemption?

- 1.4 Explain, for each provision of the Code from which the exemption is sought, why the exemption is needed and give full reasons identifying why it is appropriate that the exemption should be granted and how an exemption would be consistent with the objectives of the Code.

#### Are there any precedents?

- 1.5 Identify any [exemption notices](#) (whether current or expired) which are similar to the exemption sought and which may provide a precedent for your application. State how the notices are similar to and different from the exemption you are seeking. Note that the Panel will not be bound by previous decisions, but they are an aid.

#### What effects will there be on the holders or controllers of voting securities in the Code company concerned?

- 1.6 Describe how your proposed exemption may affect the holders or controllers of voting securities in the Code company concerned and the advantages and disadvantages (including the relative costs and benefits) to you or them of:
  - (a) the exemption being granted; and
  - (b) the exemption not being granted.

### 2 Supporting documents

- 2.1 You need to supply any relevant documents to support your application. These could include the following documents or most recent drafts:
  - (a) offer document;
  - (b) trust deeds;
  - (c) relevant contracts or agreements; and
  - (d) any other relevant documents.



### 3 Draft exemption notice

- 3.1 You should provide a draft exemption notice with a draft statement of reasons that states why it would be appropriate that the exemption is granted and how the exemption is consistent with the objectives of the Code. A copy of the draft exemption notice can be found on our website [here](#).

### 4 Time frame

- 4.1 You need to specify the latest date by which the Panel's decision is needed. If your application needs urgent consideration, give reasons for the urgency.

### 5 Conflicts of interest

- 5.1 If there are any [Panel members](#) you think may be conflicted from considering your application, please state their names, and potential conflict of interest.

### 6 Commercial confidentiality

- 6.1 If you would like the Panel to consider deferring notification of the exemption in the Gazette, publication on its website and presentation to the House, you must satisfy the Panel that it is proper to do so for reasons of commercial confidentiality. You must include sufficient information for the Panel to make a decision, and specify the length of time for which the deferral should remain in place.

### 7 Fees

- 7.1 In accordance with the Takeovers Regulations 2000, the applicant will be invoiced monthly for work carried out by the Panel. Please note, the first invoice will include an application fee of \$100 plus GST.