

# ASIC Class Order [CO 09/1063]

## Revocation of Class Order [CO 08/751] and variation of Class Order [CO 08/764]

*Issued 8/12/2009*

*Registered on Federal Register of Legislative Instruments 10/12/2009*

*Effective 11/12/2009*

*Class Order [CO 09/1063] revokes Class Order [CO 08/751] Covered short sales and varies Class Order [CO 08/764] Short selling – exercise of exchange traded options by omitting the conditions that require clients and market participants to take steps to facilitate reporting of naked ETO short sales.*

This instrument has effect under s1020F(1)(a) and (c) of the *Corporations Act 2001*.

Prepared by the Australian Securities and Investments Commission.

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### **Australian Securities and Investments Commission Corporations Act 2001 — Paragraphs 1020F(1)(a) and (c) — Revocation and Variation**

#### **Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under paragraphs 1020F(1)(a) and (c) of the *Corporations Act 2001*.

#### **Title**

2. This instrument is ASIC Class Order [CO 09/1063].

#### **Commencement**

3. This instrument commences on the later of:
  - (a) the date it is registered under the *Legislative Instruments Act 2003*; and
  - (b) the commencement of Schedule 3 to the *Corporations Amendment (Short Selling) Act 2008*.

Note: An instrument is registered when it is recorded on the Federal Register of Legislative Instruments (*FRLI*) in electronic form: see *Legislative Instruments Act 2003*, s 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

#### **Revocation**

4. ASIC Class Order [CO 08/751] is revoked.

**Variation**

5. ASIC Class Order [CO 08/764] is varied by omitting paragraphs 5 to 9 (including all headings and subheadings).

Dated this 8th day of December 2009

Signed by Stephen Yen PSM  
as a delegate of the Australian Securities and Investments  
Commission