



# ASX Clearing and Settlement Services

## New Product Form

This form should be used by existing or prospective licensed market operators (“Applicant”) for new and unique Financial Products in connection with the approval of a person as Issuer and Approval of Financial Products pursuant to the ASX Settlement Operating Rules. For example, the request may be for a structured product where the underlying instrument is quoted on an overseas exchange or otherwise.

### How to Apply

The form is in three parts:

- Part 1** Details of Applicant
- Part 2** Product Information
- Part 3** Supporting Documentation

Attachments will form part of the application for the new product. Applicants must complete all questions in this application.

Completed applications should be returned to ASX Settlement to the attention of:

Katie McDermott  
General Manager, Post Trade and Issuer Services  
Australian Securities Exchange  
PO Box RH224  
Australia Square NSW 1215

## Part 1 – Details of Applicant

Name of Applicant:

Contact details (including name, phone number, email address):

Name of Issuer:

Place of Incorporation:

Registered address of Issuer:

Legal Entity Identifier (LEI):

Issuer ABN, ACN or ARBN (if applicable):

## Part 2 – Product Information

What is the proposed quotation date for the financial product?

What is the type of new financial product?

- Ordinary share       Partly paid share       Company option  
 ETF unit       Unit trust       Preference share  
 Convertible security       Interest rate security       Hybrid security  
 Warrant product       Structured product       Debenture  
 Depository interest       Other

The financial product must be a “security” as defined in section 761A of the Corporations Act, please select the appropriate definition and attach a brief explanation and analysis.

- (a) a share in a body; or  
 (b) a debenture of a body; or  
 (c) a legal or equitable right or interest in a security covered by (a) and (b); or  
 (d) an option to acquire, by way of issue, a security covered by (a), (b) or (c); or  
 (e) a right (whether existing or future and whether contingent or not) to acquire, by way of issue, the following under a rights issue:  
    (i) a security covered by (a), (b), (c) or (d);  
    (ii) an interest or right covered by paragraph<sup>1</sup> 764A(1)(b) or (ba); or  
 (f) a CGS depository interest; or  
 (g) a simple corporate bonds depository interest; but does not include an excluded security. In Part 7.11<sup>2</sup>, it also includes a managed investment product.

<sup>1</sup> Paragraph references in this document refer to the Corporation Act 2001 (Cth)

The financial product must be a “security” in accordance with the Corporations Act, please confirm the financial product will be a “Division 4 financial product” as defined in Regulation 7.11.03(1) of the Corporations Regulations? Y/N, if yes attach a brief explanation and analysis.

Yes

No

CHESSE Depository Interests (CDIs) are issued over underlying products if an Issuer is established in a jurisdiction whose laws do not recognise uncertificated holdings or electronic transfer of title. Are CDIs required to be issued? Y/N, if yes the Corporations Act and Division 4 financial product analysis above should be in terms of CDIs as the financial product.<sup>3</sup>

Yes

No

If CDIs are required the Issuer must appoint a Depository Nominee, whose function is to hold Title or Other Interests to Principle Financial Products. If you answered ‘Yes’ to the above question please provide the name of the proposed Depository Nominee.

A “Depository Nominee” is required to be a person appointed under the ASX Settlement Operating Rules that is admitted as a General Settlement Participant (“GSP”). Is the proposed Depository Nominee admitted as a GSP? Y/N

Yes

No

\*If No, the proposed Depository Nominee should contact the ASX Participant Transitions team to apply for admission as a GSP.<sup>5</sup>

Note: A Depository Nominee may also require ASIC relief.<sup>4</sup>

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<sup>2</sup> Part 7.11 refers to Part 7.11 – *Title and Transfer* and the relevant Divisions under the Corporations Act 2001 (Cth)

<sup>3</sup> In certain cases ASX will require a legal opinion from a law firm in the issuing entity’s country of domicile as to whether the laws of that country recognise uncertificated holdings and electronic holding and transfer of title.

<sup>4</sup> ASX Settlement recommends that a Depository Nominee consider if the ASIC relief granted to CHESSE Depository Nominees Pty Ltd, and outlined under ASIC Regulatory Guide 253, is necessary and applicable to the Depository Nominee AFS licence. ASIC relief or other action by the Depository Nominee may be required in order for the CDI to be included as a Division 4 financial product for purposes of Part 7.11 of the Corporations Act, and so eligible for settlement services under the ASX Settlement Facilitation Service.

<sup>5</sup> Participant Transitions can be contacted by telephone on 1300 735 713 for domestic calls and on +61 2 9227 0787 for internal calls or by email at [participant.transitions@asx.com.au](mailto:participant.transitions@asx.com.au)

The disclosure document (e.g. prospectus, PDS, offer information statement) must be provided. Is there a draft of the disclosure document available? Y/N, if yes, attach document.

- Yes  
 No

Is the product currently listed or quoted on any exchange (either domestic or international)? Y/N, if yes attach a summary of the listing or quotation.

- Yes  
 No

If you answered 'Yes' to the above question please provide the ticker code and security identifiers (e.g. ISIN, CUSIP, SEDOL):

Ticker Code:
Security identifier:

Please select the potential corporate action events. If the sections provided are not appropriate attach a summary of the events.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Buy Back       | <input type="checkbox"/> Bonus share issue   | <input type="checkbox"/> Name/Class change   |
| <input type="checkbox"/> Call Payment   | <input type="checkbox"/> Conversion/Maturity | <input type="checkbox"/> Preference share    |
| <input type="checkbox"/> Capital return | <input type="checkbox"/> Dividend/Interest   | <input type="checkbox"/> Rights Issue        |
| <input type="checkbox"/> Reconstruction | <input type="checkbox"/> Schemes             | <input type="checkbox"/> Share purchase plan |
| <input type="checkbox"/> Takeover bid   | <input type="checkbox"/> Other               |  |

*Note: A corporate action event must be analogous to certain Australian corporate action principles in order to be processed in the ASX Settlement system.*

Any other impact / other comments:

## Part 3 – Supporting Documentation

To assist ASX with its assessment of the new product, please attach any supporting and explanatory documentation.

### Checklist for completion and submission of application

- Completed New Product form
- Supporting documentation

### For ASX use only:

Date application received:	
Workshop date:	
Progress update:	
Notification date regarding ability to provide operational support:	