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**Companies Update
1 June 2010**

Update no 06/10

Important information for ASX Listed Entities

Listing rule amendments

As foreshadowed in Companies Update 05/10, a number of amendments to the Listing Rules came into effect on 1 June 2010.

A summary of the amendments follows.

- **Listing rule 4.10.3:** the term "*best practice recommendations*" of the ASX Corporate Governance Council has been changed to "*recommendations*", to reflect the Council's usage in the latest version of the Council's Principles and Recommendations.
 - **Listing rule 4.10.20(a):** an investment entity will have to include in its annual report a list of its investments as at its balance date, rather than as at a date no more than 6 weeks before the date the annual report is sent to shareholders (which is the date to which the other information required under listing rule 4.10 must be current.)
- [Chapter 4, Listing Rules](#) (PDF 101KB)
- **Appendix 5B:** new lines have been introduced into section 4 of the quarterly cashflow report lodged by mining exploration entities. Mining explorers will have to include an estimate of the cash outflows for the next quarter for *production* and *administration*.

This requirement must be complied with in the quarterly cashflow reports for the quarter ending 30 June 2010, which are due to be lodged by 30 July 2010. Entities lodging Appendices 5B for the June quarter must include the estimates of cash outflows for production and administration for the quarter 1 July 2010 to 30 September 2010. Mining exploration entities are asked to ensure that the amended version of the Appendix 5B, which includes the lines for these items, is used when they prepare and lodge their June quarterly cashflow reports.

[Appendix 5B, Listing Rules](#)

- **Listing rule 7.2 exception 15 and listing rule 10.12**

exception 8: these rules have been amended to take account of the changes made last year to ASIC Class Order relief governing the maximum value of shares or units that can be offered under a securities purchase plan (SPP) without a disclosure document. The limit was increased from \$5,000 to \$15,000 per shareholder/unitholder. These listing rules referred to "\$5,000", which was the old limit. They have been amended so that they refer to the issue of securities under an SPP making offers up to the maximum permitted to be offered under an SPP to each shareholder or unitholder in accordance with ASIC relief.

Under listing rules 7.2 exception 15, there will still be an overall cap of 30% on the number of securities that may be issued under an SPP in accordance with the exception, and issues to underwriters of an SPP will still be excluded from the scope of the exception.

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- **Appendix 7A - timetable for SPPs:** a new paragraph 10 has been included in Appendix 7A to mandate a timetable to be followed for SPPs. The record date for an SPP must be the business day immediately preceding the day on which the SPP is announced.

[Appendix 7A, Listing Rules](#)

- **Listing rule 10.17:** has been amended to clarify that in calculating the total amount of directors' fees payable for the purpose of that rule, superannuation contributions made by a listed entity for the benefit of non-executive directors, and fees that a non-executive director agrees to sacrifice on a pre-tax basis, are included.

[Chapter 10, Listing Rules](#) (PDF 155KB)

- **Listing rule 19.12:** a definition of "securities purchase plan" has been included.

[Chapter 19, Listing Rules](#) (PDF 144KB)

The amended chapters and appendices are now available on the ASX website and on ASX Online.

To help keep our Listed Entities informed of information and events ASX will be sending emails to the Company Secretary's Office from time to time. You are receiving this email because you have been identified as a key contact within the Company Secretary's Office at your organisation. If you would like to update your email address please do so via the Directors/Senior Management page on [ASX Online for Companies](#). Feel free to forward this email to any relevant parties within your organisation.
