

SECTION 1 SCOPE OF RULEBOOK

1.1	SCOPE OF RULE BOOK.....	3
1.1.1	Operating Rules of ASX Licensees	3
1.1.2	Binding effect of Rules.....	4
1.1.3	Covenants to observe Rules.....	4
1.2	CORPORATIONS ACT COMPLIANCE AND CONTRAVENTIONS.....	4
1.2.1	Enforcement of contractual provisions.....	4
1.3	DEFINITIONS AND INTERPRETATION.....	5
1.3.1	General principles of interpretation.....	5
1.3.2	Construction to promote purpose of Rules	6
1.3.3	Headings and introductory overview for convenience of reference only.....	6
1.4	WORDS AND EXPRESSIONS DEFINED IN THE CORPORATIONS ACT OR THE OPERATING RULES.....	6
1.4.1	Words and expressions defined have the same meaning in these Rules.....	6
1.5	REFERENCES TO ASX EXERCISING DISCRETION WHERE IT CONSIDERS IT “APPROPRIATE”	6
1.5.1	Matters ASX will have regard to.....	6
1.6	CONDUCT, ACTS AND OMISSIONS	7
1.6.1	References to conduct or doing any act or thing.....	7
1.6.2	Conduct by officers, employees or agents	7
1.6.3	State of mind of a person.....	7
1.6.4	Construction to promote purpose of Rules – [Deleted]	7
1.7	EXAMPLES AND NOTES	8
1.7.1	Use of examples and notes	8
1.8	CHANGE OF NAME.....	8
1.8.1	Reference to a body or office under a former name	8
1.8.2	Change of name of Rulebook	8
1.9	EFFECT OF AMENDMENT TO RULES AND PROCEDURES.....	8
1.9.1	Where amendments to Rules and Procedures are made	8
1.10	RULES IN FORCE AT TIME OF CONTRAVENTION	9
1.10.1	Determining a contravention of the Operating Rules.....	9
1.10.2	Matters ASX will have regard to – [Deleted]	9
1.11	DEFECTS, IRREGULARITIES AND DEFICIENCIES	9
1.11.1	Notices or time.....	9
1.11.2	Validity of actions	10

1.11.3	Partial invalidity of Rules.....	10
1.12	DEFINITIONS	10
1.12.1	Definitions.....	10
1.13	TRANSITIONAL PROVISIONS.....	14
1.13.1	Transitional provisions	14
1.13.2	Transitional provisions - conduct spanning the Effective Time	16
1.13.3	Appeal Tribunal Panel	16
1.14	NOTICE & CORRESPONDENCE	16
1.14.1	Methods of giving notice in writing.....	16
1.14.2	Delivery of notice	16

SECTION 1 SCOPE OF RULEBOOK

This Rulebook deals with enforcing compliance with the Operating Rules and appeal matters including:

- the taking of enforcement action (including exercise of powers) by an ASX Licensee where a Participant, Issuer or Other Facility User has contravened the Operating Rules;
- appeals available to an Eligible Appellant under any of the Operating Rules;
- the process of appeal to an Appeal Tribunal;
- the consolidation of enforcement actions and appeals; and
- the recording and announcement of actions and determinations made by ASX and the Appeal Tribunal.

This Rulebook also deals with the establishment and composition of the Appeal Tribunal Panel and an Appeal Tribunal and sets out:

- the powers of Appeal Tribunals; and
- how proceedings before an Appeal Tribunal are to be conducted.

1.1 SCOPE OF RULE BOOK

This Rule Book deals with the powers, processes and procedures for dealing with contraventions of the Operating Rules and appeals against certain decisions ASX may make in relation to the operation of its licensed markets and facilities.

Amended 01/08/10, 25/05/15

1.1.1 Operating Rules of ASX Licensees

These Rules form part of the Operating Rules of each ASX Licensee where relevant for the purposes of the Corporations Act. These Rules should be read in conjunction with:

- (a) the Procedures;
- (b) the Operating Rules of the ASX Licensees; and
- (c) the Corporations Act.

To the extent of any inconsistency between these Rules and the Procedures, these Rules will prevail.

Amended 01/08/10

1.1.2 Binding effect of Rules

These Rules are binding on:

- (a) ASX and on Market Participants in the manner set out in section 793B of the Corporations Act; and
- (b) ASX, CS Facility Participants and Issuers in the manner set out in section 822B of the Corporations Act; and
- (c) ASX, Participants, Issuers, Other Facility Users and Eligible Appellants in the manner set out in Rule 1.1.3.

Amended 01/08/10, 25/05/15

1.1.3 Covenants to observe Rules

These Rules have the effect of a contract under seal between ASX, Participants, Issuers, Other Facility Users and Eligible Appellants under which:

- (a) each Participant, Issuer, Other Facility User and Eligible Appellant covenants with ASX and each other Participant, Issuer, Other Facility User and Eligible Appellant (as the context requires) to observe the Rules and to perform the obligations which the Rules purport to impose on the Participant, Issuer, Other Facility User and Eligible Appellant, in the manner provided by the Rules; and
- (b) ASX covenants with each Participant, Issuer, Other Facility User and Eligible Appellant to observe the Rules and to perform the obligations which the Rules purport to impose on ASX, in the manner provided by the Rules.

Amended 01/08/10, 25/05/15

1.2 CORPORATIONS ACT COMPLIANCE AND CONTRAVENTIONS

1.2.1 Enforcement of contractual provisions

Where the Operating Rules require a Participant, Issuer or Other Facility User to comply with a provision of the Corporations Act (and therefore, contemplate that ASX may take action against a Participant, Issuer or Other Facility User for a contravention of that provision):

- (a) ASX or an Appeal Tribunal may enforce that provision as if it were repeated as an Operating Rule;
- (b) any action taken or determination by ASX or an Appeal Tribunal is not to be regarded as taking action or making a determination under the Corporations Act but rather as taking action or making a determination under the contract constituted by the Operating Rules in relation to a contravention of the contractual term referred to in paragraph (a);
- (c) ASX and an Appeal Tribunal may take action or make a determination under this Section 1.2 regardless of whether a court, the Commission or any other

authority has commenced or completed any investigation, prosecution or other action in relation to the alleged contravention of that provision; and

- (d) any action or determination by ASX or an Appeal Tribunal is not affected by any previous or subsequent action or determination by any court, the Commission or any other authority in relation to an alleged contravention of that provision.

Amended 01/08/10, 25/05/15

1.3 DEFINITIONS AND INTERPRETATION

1.3.1 General principles of interpretation

In these Rules unless the context otherwise requires:

- (a) a reference to any legislation or legislative provision includes any statutory modification or re-enactment of, or any legislative provision substituted for, and any regulation or statutory instrument issued under, that legislation or legislative provision;
- (b) a reference to the Operating Rules of an ASX Licensee is a reference to those Operating Rules, as modified or amended from time to time. However a reference to a contravention of the Operating Rules shall be a reference to those Operating Rules in force at the time of occurrence of the alleged contravention;
- (c) a reference to any Rule or Procedure is a reference to that Rule or Procedure as amended from time to time;
- (d) the singular includes the plural and vice-versa;
- (e) a reference to a person, body, corporation, trust, partnership, unincorporated body, firm, association, authority or government includes any of them;
- (f) a word denoting any gender includes all genders;
- (g) if a word or expression is given a particular meaning, another part of speech or grammatical form of that word or expression has a corresponding meaning;
- (h) a reference to power includes a reference to authority and discretion;
- (i) a reference to a Rule (eg Rule 2.4) includes a reference to all sub-Rules included under that Rule (eg Rule 2.4.3);
- (j) a reference to a Section (eg Section 2) includes a reference to all Rules and sub-Rules within that Section;
- (k) a reference to time is to the time in Sydney, Australia;
- (l) a reference to currency is a reference to Australian currency;
- (m) a reference to writing includes typing, printing, lithography, photography, telex, facsimile or any other mode of representing or reproducing words in a visible form;

- (n) where there is a reference to the power of ASX to make, demand or impose a requirement on a Participant, Issuer or Other Facility User, there is a corresponding obligation of the relevant Participant, Issuer or Other Facility User to comply with that demand or requirement in all respects; and
- (o) a reference to ASX notifying or giving notice to a Participant, Issuer, Other Facility User or Eligible Appellant or vice-versa is a reference to notifying or giving notice in accordance with the relevant Operating Rules.

Amended 01/08/10, 25/05/15

1.3.2 Construction to promote purpose of Rules

In the interpretation of a Rule, a construction that would promote the purpose or object underlying the Rules (whether that purpose or object is expressly stated in the Rules or not) is to be preferred to a construction which would not promote that purpose or object.

Introduced 25/05/15

1.3.3 Headings and introductory overview for convenience of reference only

Headings and the introductory overview at the beginning of each Section are for convenience of reference only and do not affect the interpretation of the Rules or the Procedures.

Introduced 25/05/15

1.4 WORDS AND EXPRESSIONS DEFINED IN THE CORPORATIONS ACT OR THE OPERATING RULES

1.4.1 Words and expressions defined have the same meaning in these Rules

Words and expressions defined in the Corporations Act or the Operating Rules will unless otherwise defined or specified in these Rules or the contrary intention appears, have the same meaning in these Rules. When a term is defined in both the Operating Rules and the Corporations Act, the meaning in the Operating Rules prevails.

Amended 01/08/10

1.5 REFERENCES TO ASX EXERCISING DISCRETION WHERE IT CONSIDERS IT "APPROPRIATE"

1.5.1 Matters ASX will have regard to

Where a Rule provides that ASX may act in a manner which it considers "appropriate", when deciding whether or not to act, and how to act, the relevant ASX Licensee will have regard to the obligations, duties, powers and discretions which the relevant ASX Licensee may have as the holder of, or in connection with, the holding of an Australian market licence under Part 7.2 of the Corporations Act or an Australian CS facility licence under Part 7.3 of the Corporations Act.

Introduced 25/05/15

1.6 CONDUCT, ACTS AND OMISSIONS

1.6.1 References to conduct or doing any act or thing

In these Rules and in the Operating Rules:

- (a) a reference to conduct or engaging in conduct includes a reference to doing, refusing to do or omitting to do, any act, including the making of, or the giving effect to a provision of, an agreement; and
- (b) unless the contrary intention appears, a reference to doing, refusing or omitting to do any act or thing includes a reference to causing, permitting or authorising:
 - (i) the act or thing to be done; or
 - (ii) the refusal or omission to occur.

Amended 25/05/15

1.6.2 Conduct by officers, employees or agents

In these Rules and in the Operating Rules, conduct engaged in on behalf of a person:

- (a) by an Employee or other agent of the person, and whether or not within the scope of the actual or apparent authority of the Employee or other agent; or
- (b) by any other person at the direction or with the consent or agreement (whether express or implied) of an Employee or other agent of the person, and whether or not the giving of the direction, consent or agreement is within the scope of the actual or apparent authority of the Employee or other agent,

is deemed to have been engaged in also by the person.

Amended 25/05/15

1.6.3 State of mind of a person

If for the purposes of these Rules or the Operating Rules in respect of conduct engaged in by a person, it is necessary to establish the state of mind of the person, it is sufficient to show that an Employee or other agent of the person, being an Employee or other agent by whom the conduct was engaged in and whether or not within the scope of the actual or apparent authority of that Employee or other agent, had that state of mind.

In this Rule 1.6.3 a reference to the state of mind of a person includes a reference to the knowledge, intention, opinion, belief or purpose of the person and the person's reasons for the person's intention, opinion, belief or purpose.

Amended 25/05/15

1.6.4 Construction to promote purpose of Rules – [Deleted]

Deleted 25/05/15

1.7 EXAMPLES AND NOTES

1.7.1 Use of examples and notes

If these Rules include an example of, or a note about, the operation of a Rule:

- (a) the example or note is not to be taken to be exhaustive; and
- (b) if the example or note is inconsistent with the Rule, the Rule prevails.

1.8 CHANGE OF NAME

1.8.1 Reference to a body or office under a former name

If:

- (a) the name of a body is changed in accordance with the law (whether or not the body is incorporated); or
- (b) the name of an office is changed by law,

then a reference in these Rules to the body or office under any former name, except in relation to matters that occurred before the change took effect, is taken as a reference to the body or office under the new name.

1.8.2 Change of name of Rulebook

As from the Effective Time, this Rulebook (formerly known as the Australian Securities Exchange Disciplinary Processes and Appeals Rulebook) has been renamed the ASX Enforcement and Appeals Rulebook.

Introduced 01/08/10

1.9 EFFECT OF AMENDMENT TO RULES AND PROCEDURES

1.9.1 Where amendments to Rules and Procedures are made

Unless expressly stated otherwise, where a Rule or Procedure is:

- (a) amended;
- (b) deleted; or
- (c) lapses or otherwise ceases to have effect,

that circumstance does not:

- (d) revive anything not in force or existing at the time at which that circumstance takes effect;
- (e) affect the previous operations of that Rule or Procedure or anything done under that Rule or Procedure;

- (f) affect any right, privilege, obligation or liability acquired, accrued or incurred under that Rule or Procedure;
- (g) affect any penalty, forfeiture, suspension, expulsion or other enforcement action taken or incurred in respect of any contravention of that Rule or Procedure; or
- (h) affect any investigation, proceeding, enforcement process, appeal process or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, suspension, expulsion or other enforcement action,

and any such investigation, proceeding, enforcement process, appeal process or remedy may be instituted, continued or enforced, and any such penalty, forfeiture, suspension, expulsion or other enforcement action may be imposed as if the circumstance had not taken effect.

Amended 01/08/10, 25/05/15

1.10 RULES IN FORCE AT TIME OF CONTRAVENTION

1.10.1 Determining a contravention of the Operating Rules

Unless expressly stated otherwise, in determining whether the act or omission of a party constitutes a contravention of the Operating Rules, breach of a condition imposed by ASX under the Operating Rules or Unprofessional Conduct, the matter will be determined with regard to the Operating Rules in force at the time of the relevant act or omission.

Amended 01/08/10, 25/05/15

1.10.2 Matters ASX will have regard to – [Deleted]

Deleted 25/05/15

1.11 DEFECTS, IRREGULARITIES AND DEFICIENCIES

1.11.1 Notices or time

A decision or act of ASX under these Rules is not invalidated by any:

- (a) defect;
- (b) irregularity; or
- (c) deficiency,

of notice or time unless:

- (d) a Participant, Issuer or Other Facility User concerned by the defect, irregularity or deficiency requests ASX to resolve that the decision or act is invalid;
- (e) ASX reasonably believes that the defect, irregularity or deficiency has caused or may cause substantial injustice which cannot reasonably be avoided; and

(f) ASX accordingly resolves that the decision or act is invalid.

Introduced 01/08/10 Amended 25/05/15

1.11.2 Validity of actions

An action or inaction by ASX under the Rules may not be challenged on the ground that a Rule, Procedure, direction, decision or requirement of ASX, or any agreement made by ASX, is ultra vires or otherwise invalid.

Introduced 01/08/10

1.11.3 Partial invalidity of Rules

If any of the provisions of the Rules or the Procedures becomes at any time illegal, invalid or unenforceable in any respect under the law of any jurisdiction, the legality, validity or enforceability of the remaining provisions of the Rules and the Procedures, and the legality, validity or enforceability of the provision under the law of any other jurisdiction is not affected or impaired in any way.

Introduced 01/08/10

1.12 DEFINITIONS

1.12.1 Definitions

In these Rules and the Procedures, unless the context otherwise requires:

"Alleged Minor Infringement Notice" means the notice referred to in Rule 2.4.1;

Introduced 01/08/10

"Appealable Decision" means a decision of ASX that is able to be appealed under Rule 3.1;

Introduced 25/05/15

"Appeal Tribunal" means a tribunal convened in accordance with Rule 3.2.2;

Amended 25/05/15

"Appeal Tribunal Panel" means the panel established in accordance with Rule 3.5.1;

"ASX" means any, some or all of the ASX Licensees (as the context requires);

"ASX 24" means Australian Securities Exchange Limited (formerly known as Sydney Futures Exchange Limited);

Introduced 25/05/15

"ASX Clear" means ASX Clear Pty Limited (formerly known as Australian Clearing House Pty Limited);

Introduced 25/05/15

"ASX Clear (Futures)" means ASX Clear (Futures) Pty Limited (formerly known as SFE Clearing Corporation Pty Limited);

Introduced 25/05/15

"ASX Licensee" means any of ASX Limited, ASX Clear, ASX Settlement, ASX 24, ASX Clear (Futures) and Austraclear (as the context requires);

Amended 01/08/10, 25/05/15

"ASX Settlement" means ASX Settlement Pty Limited (formerly known as ASX Settlement and Transfer Corporation Pty Ltd);

Introduced 25/05/15

"Austraclear" means Austraclear Limited;

Introduced 25/05/15

"Business Day" means Monday to Friday inclusive, except New Year's Day, Good Friday, Easter Monday, Christmas Day, Boxing Day, and any other day that ASX declares is not a business day;

"Commence" means:

- (a) in relation to disciplinary proceedings relating to conduct or a failure under the relevant Old ASX Rules prior to the Effective Time, the provision of a notice by the relevant ASX Licensee to a Regulated Person (as defined in the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook) pursuant to Rule 2.1 of the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook; and
- (b) in relation to appeal proceedings relating to conduct or a failure under the relevant Old ASX Rules prior to the Effective Time, the provision of a notice of appeal by the relevant person pursuant to Rule 3.1 of the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook.

Amended 01/08/10

"Corporations Act" means the Corporations Act 2001 (Cth);

Amended 25/05/15

"CS Facility Participant" means (as the context requires):

- (a) a Participant as defined in the ASX Clear Operating Rules;
- (b) a Participant as defined in the ASX Settlement Operating Rules;
- (c) a Clearing Participant as defined in the ASX Clear (Futures) Operating Rules; and/or
- (d) a Participant as defined in the Austraclear Regulations.

Introduced 25/05/15

"decision" includes any decision of an interim nature;

Amended 25/05/15

"Effective Time" means the date set out in the Procedures;

"Eligible Appellant" means a person who is permitted to appeal an Appealable Decision of ASX under Rule 3.1.

Introduced 25/05/15

"Employee" in relation to a Participant, Issuer or Other Facility User means a director, employee, officer, agent, representative, consultant or adviser of that Participant, Issuer or Other Facility User or any Related Body Corporate who is involved in its activities as a Participant, Issuer or Other Facility User;

Amended 25/05/15

"Enforcement Notice" means the notice referred to in Rule 2.5.1

Introduced 01/08/10

"Issuer" has the same meaning it has in the ASX Settlement Operating Rules;

"Listed Entity" means an entity that is admitted to the official list of ASX Limited.

Introduced 25/05/15

"Market Participant" means (as the context requires):

- (a) a Market Participant as defined in the ASX Operating Rules; and/or
- (b) a Trading Participant as defined in the ASX 24 Operating Rules.

Introduced 25/05/15

"Old ASX Rules" means any, some or all (as the context requires) of the following rules of the relevant ASX Licensee which were in force before the Effective Time:

- (a) ASX Market Rules;
- (b) ACH Clearing Rules;
- (c) ASTC Settlement Rules;
- (d) Operating Rules of Sydney Futures Exchange;
- (e) Clearing Rules of SFE Clearing; and/or
- (f) Austraclear Regulations;

Amended 01/08/10

"Old Australian Securities Exchange Disciplinary Processes and Appeal Rulebook" means the Australian Securities Exchange Disciplinary Processes and Appeals Rulebook in force before the Effective Time;

Introduced 01/08/10

"Old Tribunal" means the Disciplinary Tribunal or Appeal Tribunal (as the context requires) convened in accordance with the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook, irrespective of whether it is convened before or after the Effective Time;

Amended 01/08/10

"Operating Rules" mean any, some or all (as the context requires) of the following:

- (a) ASX Operating Rules (known as the ASX Market Rules prior to the Effective Time);
- (b) [Deleted]
- (c) ASX Clear Operating Rules (known as the ACH Clearing Rules prior to the Effective Time);
- (d) ASX Settlement Operating Rules (known as the ASTC Settlement Rules prior to the Effective Time);
- (e) ASX 24 Operating Rules (known as the Operating Rules of Sydney Futures Exchange prior to the Effective Time);
- (f) ASX Clear (Futures) Operating Rules (known as the Clearing Rules of SFE Clearing prior to the Effective Time); and/or
- (g) Austraclear Regulations;

Amended 01/08/10, 24/12/15

"Other Facility User" means a Facility User as defined in the ASX Settlement Operating Rules other than a Participant or an Issuer;

Introduced 25/05/15

"Participant" means a Market Participant and/or a CS Facility Participant (as the context requires);

Amended 01/08/10, 25/05/15

"Procedures" mean the Procedures of the ASX Enforcement and Appeals Rulebook;

Amended 01/08/10

"Product" means any product offered by the relevant ASX Licensee to be traded, cleared, settled or deposited (as the context requires) and, in relation to ASX Clear, includes an "Approved Market Operator" as defined in the ASX Clear Operating Rules;

Amended 01/08/10, 25/05/15

"Related Body Corporate" has the same meaning set out in Section 50 of the Corporations Act;

Introduced 25/05/15

"Rules" or **"Rulebook"** means the ASX Enforcement and Appeals Rulebook;

Amended 01/08/10

"Settlement Participant" has the same meaning it has in the ASX Settlement Operating Rules;

Introduced 25/05/15

"Submission Notice" means the notice referred to in Rule 2.3.1;

Introduced 01/08/10

"taking action" includes commencing or continuing any inquiry or investigation, holding any hearing or engaging in any procedure.

1.13 TRANSITIONAL PROVISIONS

1.13.1 Transitional provisions

Following the Effective Time:

- (a) without limiting Section 2 of these Rules, ASX (as applicable) will have jurisdiction pursuant to this Rulebook and may take any enforcement action under the Rules in respect of a Participant, Issuer or Other Facility User concerning any conduct or failure under:
 - (i) the Operating Rules, where that conduct or failure occurred on or after the Effective Time; or
 - (ii) the Operating Rules and the Old ASX Rules, where the relevant conduct or failure the subject of the action spans both prior to and following the Effective Time,irrespective of when ASX became aware of, or should have become aware of, that conduct or failure;
- (b) without limiting Section 3 of these Rules, the Appeal Tribunal will have jurisdiction pursuant to this Rulebook and may conduct appeal proceedings (including the holding of any hearings or engaging in any procedures) under these Rules in respect of a Participant, Issuer or Other Facility User concerning any conduct or failure under:
 - (i) the Operating Rules, where that conduct or failure occurred on or after the Effective Time; or
 - (ii) the Operating Rules and the Old ASX Rules, where the relevant conduct or failure the subject of the proceedings spans both prior to and following the Effective Time,

irrespective of when ASX became aware of, or should have become aware of, that conduct or failure;

- (c) without limiting Rule 1.12 of the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook, ASX (as applicable) will continue to have jurisdiction pursuant to the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook and may take disciplinary action under that rulebook after the Effective Time in respect of a Regulated Person (as defined in that rulebook) concerning any conduct under, any failure to comply with, or any engagement in Unprofessional Conduct under, the Old ASX Rules, where that conduct or failure occurred prior to the Effective Time, irrespective of when ASX became aware of, or should have become aware of, that conduct or failure;
- (d) without limiting Rule 1.12 of the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook, the Old Tribunal shall continue to have jurisdiction to conduct disciplinary proceedings (including any appeal proceedings from those disciplinary proceedings) or appeal proceedings (as the case may be) in accordance with, and pursuant to its jurisdiction under, the provisions of the Old Australian Securities Exchange Disciplinary Processes and Appeal Rulebook in respect of a Regulated Person (as defined in that rulebook) concerning any conduct under, any failure to comply with, or any engagement in Unprofessional Conduct under, the Old ASX Rules, where that conduct or failure occurred prior to the Effective Time, irrespective of whether disciplinary or appeal proceedings have Commenced prior to the Effective Time or when ASX became aware of, or should have become aware of, that conduct or failure;
- (e) for the purposes of paragraphs (c) and (d) above:
 - (i) the maximum penalty that may be imposed on a Regulated Person (as defined in the Old Australian Securities Exchange Disciplinary Processes and Appeal Rulebook) shall be the maximum penalty that would have been imposed for the relevant conduct or failure under the rules in existence at the time that the relevant conduct or failure occurred, irrespective of whether the disciplinary proceedings or appeal proceedings (as the case may be) were Commenced before or after the Effective Time;
 - (ii) ASX and the Old Tribunal shall take disciplinary action and conduct the disciplinary proceedings or appeal proceedings (as the case may be) with due regard to the relevant rules that were in force at the time that they were alleged to be contravened;
 - (iii) the indemnities provided by ASX under Rule 3.8 of the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook continue to apply to the extent relevant to the taking of disciplinary action or the conduct of disciplinary proceedings or appeal proceedings as contemplated under paragraphs (c) and (d);
- (f) Old ASX Rules and the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook continue to apply in respect of the Regulated Person (as defined in the Old Australian Securities Exchange Disciplinary

Processes and Appeal Rulebook) to the extent required to give effect to the paragraphs above;

- (g) Nothing in this Rule 1.13 limits the continued operation of rule 1.12 of the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook where disciplinary proceedings or appeal proceedings have Commenced (as defined in the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook) prior to the Effective Time (as defined in the Old Australian Securities Exchange Disciplinary Processes and Appeals Rulebook).

Introduced 01/08/10 Amended 25/05/15

1.13.2 Transitional provisions - conduct spanning the Effective Time

For the avoidance of doubt, where the relevant conduct or failure the subject of the action or proceeding spans both prior to and following the Effective Time:

- (a) ASX and the Appeal Tribunal will have the jurisdiction and may take action or conduct appeal proceedings as referred to in Rules 1.13.1(a) & (b) above;
- (b) Rules 1.13.1(c), (d) and (e) do not apply to such conduct or failure.

Introduced 01/08/10 Amended 25/05/15

1.13.3 Appeal Tribunal Panel

For the avoidance of doubt, the Appeal Tribunal Panel established under the Old Australian Securities and Exchange Disciplinary Processes and Appeals Rulebook and in effect immediately prior to the Effective Time, is deemed to have been established in accordance with this Rulebook and be in effect at the Effective Time.

Introduced 01/08/10 Amended 25/05/15

1.14 NOTICE & CORRESPONDENCE

1.14.1 Methods of giving notice in writing

Any notice or correspondence that is to be given by an Eligible Appellant to an Appeal Tribunal pursuant to these Rules must be forwarded to the address, and in the manner, set out in the Procedures.

Amended 01/08/10, 25/05/15

1.14.2 Delivery of notice

For the purposes of Rule 1.14.1, any such notice or correspondence will be taken to have been received at the time and in the manner set out in the Procedures.

Amended 01/08/10

End of Document