



**Australian Government**  
**Takeovers Panel**

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[insert date]

**File:** [##]/2009

**Party**

C/-

[Legal advisors]

[address of advisors]

**By Email:**

**Australian Securities & Investments  
Commission**

C/-

**By Email:**

Dear Parties

**Brief - [Matter Name]**

**Brief**

1. The Panel has decided to conduct proceedings. This is its brief under regulation 20<sup>1</sup>. The matters to be examined and issues to be addressed are in Attachment A.

**Directions**

2. The Panel gives the following directions under regulation 25:
  - (a) address the issues that invite your response succinctly and on point. Do not repeat submissions – simply cross refer. If you provide documents, include only the relevant extracts (unless the complete document is necessary to avoid a misleading impression)
  - (b) if you wish to address an issue not raised in the brief, clearly identify it as additional
  - (c) preface your response to each issue with the Panel’s question in distinguishing text (eg, bold). Do the same for any rebuttals.
  - (d) rebuttals are to be confined to rebutting the submissions of other parties

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<sup>1</sup> All references are to the *Australian Securities and Investments Commission Regulations*.

## Takeovers Panel

Brief – [matter name]

- (e) if you believe that there are material errors of fact, or additional facts that should be taken into account, raise them after dealing with the relevant question
- (f) provide a copy of your submissions:
  - (i) to the Panel at [takeovers@takeovers.gov.au](mailto:takeovers@takeovers.gov.au)
  - (ii) to each other party at the same time that you provide them to the Panel
- (g) the timetable for submissions is:

Event	Deadline (see regulations 28 and 34)
Submissions on brief	[insert time] (Melb time) [insert date]
Rebuttals on submissions	[insert time] (Melb time) [insert date]

### Important information

- 3. Please note:
  - (a) the Panel may issue a supplementary brief and, if relevant, will issue a supplementary brief regarding orders
  - (b) the Panel's *Procedural Rules* have been adopted
  - (c) submissions will only be accepted from parties or under regulation 24
  - (d) the Panel will not accept submissions in confidence without prior approval: see rule 2.3 of the *Procedural Rules*. Please contact the Executive if you want to make a submission in confidence. Failure to do this may result in the submission being circulated to all parties
  - (e) if costs become an issue in the proceedings, the Panel will invite submissions at the relevant time
  - (f) information included in submissions may be disclosable by a (listed) party under ASX listing rule 3.1
  - (g) if you want to raise any procedural fairness point, you must do so as soon as it arises or you risk losing the opportunity to have it addressed
  - (h) if the timetable does not give you a fair opportunity to make submissions, let us know as soon as you become aware of pending problems
  - (i) No conference is planned, but you may (if you consider a conference is necessary) make submissions on this. The Panel will decide whether a conference would assist it after reviewing submissions.

### Confidentiality

- 4. Parties are reminded:
  - (a) they have given undertakings regarding confidentiality and media canvassing

## Takeovers Panel

Brief – [matter name]

- (b) Panel correspondence to parties is confidential and may not be used or published without the Panel's consent. The Panel's publicly published documents may be used provided the use is not misleading.

Yours faithfully

Allan Bulman

Director

Takeovers Panel

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## Attachment A

1. Question 1:
  - (a) Question 1a
  - (b) Question 1b
2. Question 2