

## SECTION 657C(2)

### APPLICATION TO THE TAKEOVERS PANEL

**Date:** *Insert date of application*

**Applicant:** *Insert name of applicant*

**In relation to the affairs of:** *Insert company*

**Other parties:** *Identify the other parties*

#### 1. OVERVIEW OF APPLICATION

Aspect	Summary
Decision sought	<i>Insert decision or declaration sought (e.g. unacceptable circumstances)</i>
Declaration basis	<i>Insert section relied on (e.g. s657A(2)(a))</i>
Circumstances	<i>1. Insert in a few sentences a summary of relevant circumstances 2. Identify whether the circumstances are continuing 3. State when the circumstances first occurred.</i>
Effect of circumstances on control/ substantial interest/ 602 principles	<i>Identify the effect of the circumstances</i>
What (if any) contravention of chapters 6-6C?	<i>If none identified, write NA or delete box</i>
Interim order(s) sought	<i>Insert interim orders sought. If none, write NA or delete box</i>
Final order(s) sought	<i>1. Insert final orders sought 2. Identify how the requested orders protect rights or interests (s657D(2)(a)) or ensure the takeover bid proceeds as it should have (s657D(2)(b)).</i>

## 2. DETAILS OF APPLICATION (KEEP TO 10 PAGES)

### 2.1. BACKGROUND

*Insert all relevant matters of fact, so far as they are known to the applicant  
If possible, include a diagram of the corporate/ shareholding relationships.*

### 2.2. CHRONOLOGY

*Insert chronology of key events*

Date	Event

### 2.3. SUBMISSIONS

*Set out separately each claim and the submission to support it. Include the policy considerations, submissions on law or the exercise of discretion relevant to the claim.*

#### 2.3.1. **Issue 1:** *(eg, misleading information regarding funding of bid)*

*Detail first claim and submissions*

#### 2.3.2. **Issue 2:** *(eg, misleading information regarding value of the bid)*

*Detail second claim and submissions*

## 3. ORDERS

*Set out separately each order sought and the submission to support it. Include the policy considerations, and unfair prejudice submissions relevant to the order.*

## 4. PROCEDURAL

### 4.1. FEES

*Undertake to pay the application fee (an invoice will be issued and emailed to the applicant along with electronic funds transfer and credit card payment options).*

### 4.2. LEAVE TO BE LEGALLY REPRESENTED

*If applicable, insert request for the Panel to grant leave to be legally represented by the party's commercial solicitors.*

**4.3. INFORMATION ABOUT THE APPLICANT**

*Please provide as much information as possible as the information is used to assess conflicts when appointing a sitting Panel. If information becomes available after filing the application, please inform the Panel executive.*

<b>Applicant</b>	
Principal Shareholders	
Directors	
Controllars	
Legal advisers	
Financial advisers	
Auditors	
Principal financiers	
Name of any person with whom, or on whose behalf, the applicant is acting in relation to the application or the matters described in it.	

*State which paragraph of section 657C(2) applies. If s657C(2)(d), state the nature and extent of the interest affected.*

**4.4. INFORMATION ABOUT POTENTIALLY INTERESTED PARTIES**

*Please provide as much information as possible as the information is used to assess conflicts when appointing a sitting Panel. If information becomes available after filing the application, please inform the Panel executive.*

	<b>Potentially interested party*</b>	<b>Potentially interested party*</b>
Principal Shareholders		
Directors		
Controllars		
Legal advisers		

	Potentially interested party*	Potentially interested party*
Financial advisers		
Auditors		
Principal financiers		

*\*Identify each person (other than ASIC) known to the applicant whose interests would be materially affected by the making of the decision or declaration or the granting of the orders.*

**4.5. SERVICE ON OTHER PARTIES**

*Confirm that the other parties have been, or will be, given a copy of this application (Note must include ASIC)*

**4.6. OUT OF TIME**

*(If need a determination by the Panel under s657C(3)(b) – otherwise delete) If necessary, state why it is desirable to commence proceedings more than two months after the circumstances first occurred (e.g., whether the circumstances were concealed or otherwise unknown to the applicant and what, if any, adverse effect the circumstances have had or would have)*

**4.7. NOTICE OF APPEARANCE AND UNDERTAKING**

*Complete Annexure A of the Procedural Rules.*

**5. ANNEXURES**

*Insert list of documents annexed to the application. Include any documents that the Rules require to accompany the application.*

Annexure	Description
1	
2	
3	

Signed: \_\_\_\_\_

Name and authority: \_\_\_\_\_