

**Australian Securities and Investments Commission  
Corporations Act 2001 - Subsection 340(1) – Revocation and Order**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 340(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This Order is ASIC Instrument [16-1074].

**Commencement**

3. This Instrument commences on the day it is signed.

**Revocation**

4. ASIC Instrument [16-0899] dated 12 September 2016 is revoked.

**Order**

5. Each of the following companies:

Comsteel Pty Ltd (Subject to Deed of Company Arrangement) ACN 006 218 524

Commonwealth Steel Company Pty Limited ACN 000 007 698

SSG No. 3 Pty Ltd (Subject to Deed of Company Arrangement) ACN 087 840 515

The ANI Corporation Pty Limited (Subject to Deed of Company Arrangement)  
ACN 000 421 358

(each a *Wholly-owned Company*)

does not have to comply with any of the following requirements of Part 2M.3 of the Act:

- (a) the requirement to prepare the financial report and directors' report under paragraph 292(1)(c);
- (b) the requirement to have the financial report audited and to obtain an auditor's report under subsection 301(1);
- (c) the requirement to report to members of the Wholly-owned Company under section 314 within the time required by section 315;
- (d) the requirement to send reports to a member of the Wholly-owned Company in accordance with a request under subsection 316(1) within the time required by subsection 316(2);
- (e) the requirement to lodge reports with ASIC under subsection 319(1) within the time required by subsection 319(3);

in relation to a financial year of the Wholly-owned Company ending during the deferral period.

This paragraph applies until the last day of the deferral period.

#### **Conditions**

6. The Wholly-owned Company:
  - (a) must comply with any of the obligations to which paragraph 5 applies, by no later than the last day of the deferral period;
  - (b) must arrange for a notice explaining the relief granted by this instrument to be published:
    - (i) both:
      - (A) in a prominent place on the Holding Entity's website; and
      - (B) if the Wholly-owned Company is under external administration - in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator; and
    - (ii) if the Holding Entity is listed on a prescribed financial market – on a website maintained by the operator of the financial market;
  - (c) if the Wholly-owned Company is under external administration - must have adequate arrangements in place to answer, within a reasonable period of time and without charge, any reasonable questions asked by a creditor of the Wholly-owned Company about the External Administration or any subsequent external administration.
7. This Order will cease to apply in relation to a financial year of the Wholly-owned Company from the date of any failure to comply with a condition in paragraph 6 in relation to the financial year.

#### **Interpretation:**

For the avoidance of doubt, this instrument applies to each Wholly-owned Company individually and the inability of one Wholly-owned Company to be able to rely on the relief provided by this instrument for whatever reason shall not affect the ability of any other Wholly-owned Company to rely on the relief provided by this instrument.

In this instrument:

***deferral period*** means the period starting on the date of this instrument and ending on whichever is the earlier of:

- (a) 7 October 2018; or
- (b) if the Wholly-owned Company is under external administration, the date that the Wholly-owned Company ceases to be under external administration; or
- (c) the date that the Holding Entity ceases to be under external administration.

**external administration** means where an external administrator has been appointed to the Wholly-owned Company.

**external administrator** means:

- (a) an administrator of the Wholly-owned Company appointed under section 436A, 436B or 436C of the Act;
- (b) where the Wholly-owned Company has executed a deed of company arrangement that has not yet terminated, the administrator of the deed appointed under Part 5.3A of the Act;
- (c) a provisional liquidator of the Wholly-owned Company; or
- (d) a managing controller appointed in relation to property of the Wholly-owned Company.

**Holding Entity** means SSX Holdings Pty Ltd (Subject to Deed of Company Arrangement) ACN 087 813 116.

**External Administrator** means Mr Martin Madden, Mr Mark Francis Xavier Mentha, Mr Bryan Webster and Ms Cassandra Elysium Mathews of KordaMentha, who are appointed as deed administrators of the relevant Wholly-owned Company, on or about 4 November 2016 under a deed of company arrangement substantially in the form of the Arrium Transaction Support Deed of Company Arrangement dated 4 November 2016.

Dated: 30 November 2016



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Signed by Pamela Smith  
as a delegate of the Australian Securities and Investments Commission