

ANNEXURE A
ACTION TAKEN BY ASIC AS A RESULT OF ASX REFERRALS – 1 July 1998- 30 June 2008

Financial Year ended 30 June	ASX referrals to ASIC#	ASIC actions as a result of ASX referrals*	Details of ASIC action	Number
2008	92	4	Criminal prosecutions (incomplete) Bannings	2 (involving a total of 3 defendants) ¹ 2 ²
2007	77	1	Civil penalty action (unsuccessful)	1 (involving 3 defendants) ³
2006	97	7	Criminal prosecutions (successful) Criminal prosecutions (unsuccessful) Civil penalty action (incomplete) Civil action (unsuccessful) Infringement notices	2 ⁴ 1 (involving 2 defendants) ⁵ 1 (involving 2 defendants) ⁶ 1 ⁷ 2 ⁸
2005	107	3	Criminal prosecution (successful) Civil penalty action (successful) Civil action (successful)	1 ⁹ 1 (involving 2 defendants) ¹⁰ 1 ¹¹
2004	Not available	3	Criminal prosecutions (successful) Banning	2 (involving a total of 4 defendants) ¹² 1 ¹³
2003	58	3	Criminal prosecutions (successful)	3 ¹⁴
2002	51	1	Enforceable Undertaking	1 ¹⁵
2001	51	3	Enforceable Undertakings	3 ¹⁶
2000	17	3	Enforceable Undertakings	3 ¹⁷
1999	31	1	Enforceable Undertaking	1 ¹⁸

From ASX Annual Reports, available from www.asx.com.au.

* From ASIC Media Releases where the Media Release states that the ASX referred the matter to ASIC.

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- ¹ Landan Roberts and Gregory Barnes (see “Former Chameleon Mining NL directors charged”, 20 September 2007, <http://www.asic.gov.au/asic/asic.nsf/byheadline/07-246+Former+Chameleon+Mining+NL+directors+charged>) and Steven Irvine Hart (see “Former executive charged with fraud – Queensland”, 21 December 2007, 21 December 2007, <http://www.asic.gov.au/asic/asic.nsf/byheadline/07-339+Former+executive+charged+with+fraud+-+Queensland>).
- ² Rocco Musumeci (see “ASIC bans Wollongong financial adviser for market manipulation”, 10 January 2008, <http://www.asic.gov.au/asic/asic.nsf/byheadline/08-02+ASIC+bans+Wollongong+financial+adviser+for+market+manipulation>) and Richard Geoffrey Wardlaw (see “Sydney man banned for five years from providing financial services”, 2 June 2008, <http://www.asic.gov.au/asic/asic.nsf/byheadline/08-115+Sydney+man+banned+for+five+years+from+providing+financial+services>).
- ³ Mining Projects Group Limited, Bryan Frost and Richard Revelins (see “ASIC takes action against directors of Melbourne mining company”, 23 January 2007, <http://www.asic.gov.au/asic/asic.nsf/byheadline/07-13+ASIC+takes+action+against+directors+of+melbourne+mining+company> and “ASIC discontinues proceedings against directors of Melbourne mining company”, 4 July 2008, <http://www.asic.gov.au/asic/asic.nsf/byheadline/08-148+ASIC+discontinues+proceedings+against+directors+of+Melbourne+mining+company?openDocument>).
- ⁴ Anthony Rechner (see “Perth exploration company chairman charged with false statements”, 16 January 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-007+Perth+exploration+company+chairman+charged+with+false+statements> and “Former Perth-based mining exploration company chairman given a 16 month suspended sentence”, 28 September 2007, <http://www.asic.gov.au/asic/asic.nsf/byheadline/07-259+Former+Perth-based+mining+exploration+company+chairman+given+a+16+month+suspended+sentence?openDocument>) and Peter Robert Woodland (see “Sharetrader charged with insider trading”, 23 February 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-050+Sharetrader+charged+with+insider+trading+>).
- ⁵ Steven Irvine Hart and Richard Melvyn Hayter (see “Former Harts executives charged with continuous disclosure breach”, 2 June 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-176+Former+Harts+executives+charged+with+continuous+disclosure+breach> and “Verdict on charges against former Harts executives”, 25 September 2008, <http://www.asic.gov.au/asic/asic.nsf/byheadline/AD08-26+Verdict+on+charges+against+former+Harts+executives>).
- ⁶ Fortescue Metals Group Ltd and Andrew Forrest (see “ASIC commences proceedings against Fortescue Metals Group and Andrew Forrest”, 2 March 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-062+ASIC+commences+proceedings+against+Fortescue+Metals+Group+and+Andrew+Forrest?openDocument>).
- ⁷ Citigroup Global Markets Australia Pty Limited (see “ASIC commences proceedings against Citigroup for conflicts and insider trading breaches”, 31 March 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-096+ASIC+commences+proceedings+against+Citigroup+for+conflicts+and+insider+trading+breaches?openDocument> and “Decision in ASIC v Citigroup”, 28 June 2007, <http://www.asic.gov.au/asic/asic.nsf/byheadline/07-171+Decision+in+ASIC+v+Citigroup>).
- ⁸ SDI Ltd (see “Melbourne company pays disclosure penalty”, 21 April 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-124+Melbourne+company+pays+disclosure+penalty>). Solbec Pharmaceuticals Limited (see ASIC issues first infringement notice for continuous disclosure breach, 1 August 2005, <http://www.asic.gov.au/asic/asic.nsf/byheadline/05-223+ASIC+issues+first+infringement+notice+for+continuous+disclosure+breach>).
- ⁹ Clinton Henry Starr (see “Director of Multimedia limited pleads guilty”, 22 March 2005, <http://www.asic.gov.au/asic/asic.nsf/byheadline/05-66+Director+of+Multiimedia+limited+pleads+guilty>).
- ¹⁰ John Petsas and Marc Miot (see “ASIC commences civil penalty proceedings in insider trading case”, 24 August 2004, <http://www.asic.gov.au/asic/asic.nsf/byheadline/04-274+ASIC+commences+civil+penalty+proceedings+in+insider+trading+case> and “Melbourne men ordered

to pay \$260,000 over insider trading”, 15 February 2005, [http://www.asic.gov.au/asic/asic.nsf/byheadline/05-27+Melbourne+men+ordered+to+pay+\\$260%2C000+over+insider+trading?openDocument](http://www.asic.gov.au/asic/asic.nsf/byheadline/05-27+Melbourne+men+ordered+to+pay+$260%2C000+over+insider+trading?openDocument)).

¹¹ Chemeq (see “ASIC takes action against Chemeq”, 23 December 2004, <http://www.asic.gov.au/asic/asic.nsf/byheadline/04-426+ASIC+takes+action+against+Chemeq?openDocument> and “ASIC reaches settlement in civil proceedings against Chemeq limited”, 30 June 2006, <http://www.asic.gov.au/asic/asic.nsf/byheadline/06-214+ASIC+reaches+settlement+in+civil+proceedings+against+Chemeq+limited?openDocument>).

¹² Dean Scook and Jeffrey Braysich (see “Perth, Sydney men charged with market manipulation”, 31 July 2003, <http://www.asic.gov.au/asic/asic.nsf/byheadline/03-032+Perth%2C+Sydney+men+charged+with+market+manipulation> and “Perth court convicts two men on market rigging charges”, 12 November 2007, <http://www.fido.gov.au/asic/asic.nsf/byheadline/07-294+Perth+court+convicts+two+men+on+market+rigging+charges>) and Bryan John Frost and Richard Revelins (see “Directors of gaming and entertainment group plead guilty”, 25 June 2004, <http://www.asic.gov.au/asic/asic.nsf/byheadline/04-201+Directors+of+gaming+and+entertainment+group+plead+guilty>).

¹³ Darren Hunt (see “Four-year ban for former Victorian representative”, 21 June 2004, <http://www.asic.gov.au/asic/asic.nsf/byheadline/04-197+Four-year+ban+for+former+Victorian+representative>).

¹⁴ Gavin Brown (see “WA man charged with market manipulation”, 18 February 2003, <http://www.asic.gov.au/asic/asic.nsf/byheadline/03-058+WA+man+charged+with+market+manipulation> and “Perth man sentenced for market manipulation”, 17 March 2005, <http://www.asic.gov.au/asic/asic.nsf/byheadline/05-61+Perth+man+sentenced+for+market+manipulation>); Craig Manners (see “Former Adelong Capital director charged, 19 February 2003”, <http://www.fido.gov.au/asic/asic.nsf/byheadline/03-062+Former+Adelong+Capital+director+charged?openDocument> and “Former Adelong Capital director sentenced”, 4 October 2005, <http://www.asic.gov.au/asic/asic.nsf/byheadline/05-301+Former+Adelong+Capital+director+sentenced?openDocument>); Maxwell Sweetman (see “Insider trading charges for former Harts executive director”, 20 June 2003, <http://www.asic.gov.au/asic/asic.nsf/byheadline/03-190+Insider+trading+charges+for+former+Harts+executive+director>, and “Former Harts executive director jailed for insider trading”, 17 December 2004, <http://www.fido.gov.au/asic/asic.nsf/byheadline/04-415+Former+Harts+executive+director+jailed+for+insider+trading>).

¹⁵ “Former futures representative offers enforceable undertaking”, 16 April 2002, <http://www.fido.gov.au/asic/asic.nsf/byheadline/02%2F130+Former+futures+representative+offers+enforceable+undertaking?openDocument>, (referral from the Sydney Futures Exchange).

¹⁶ “ASIC Accepts Enforceable Undertaking From Ord Minnett Jardine Fleming Futures Limited, 2 October 2000 (referral from Sydney Futures Exchange), [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-411.pdf/\\$file/00-411.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-411.pdf/$file/00-411.pdf); “ASIC Accepts Enforceable Undertaking from Rene Rivkin and Companies”, 5 October 2000, [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-416.pdf/\\$file/00-416.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-416.pdf/$file/00-416.pdf); “Major Perth Stockbroker Harley Poynton provides Enforceable Undertaking”, 18 December 2000, [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-542.pdf/\\$file/00-542.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-542.pdf/$file/00-542.pdf);

¹⁷ “Keycorp Limited – ASIC Accepts Enforceable Undertakings”, 15 October 1999, [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/99-376.pdf/\\$file/99-376.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/99-376.pdf/$file/99-376.pdf); “ASIC Accepts Enforceable Undertakings From Former Director of Eastern Gold Corporation NL” 9 December 1999, [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/99-412.pdf/\\$file/99-412.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/99-412.pdf/$file/99-412.pdf); “ASIC Accepts Enforceable Undertaking from Hudson Investment Group Limited”, 17 April 2000, [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-170.pdf/\\$file/00-170.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/00-170.pdf/$file/00-170.pdf);

¹⁸ “Six year banning for brokers representative”, 13 April 1999, [http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/99-104.pdf/\\$file/99-104.pdf](http://www.fido.gov.au/asic/pdflib.nsf/LookupByFileName/99-104.pdf/$file/99-104.pdf).