

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

Enabling legislation

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

Title

2. This order is ASIC Order 12-1709.

Commencement

3. This order commences on 7 December 2012.

Order

4. ASIC relieves Ansett Australia Limited (subject to deed of company arrangement) ACN 004 209 410 (*AAL*) from Part 2M.3 of the Act for the financial years ending 30 June 2012, 30 June 2013 and 30 June 2014.

Conditions

5. The deed administrators must do all of the following:
 - (a) maintain arrangements for answering enquiries from members of AAL about the external administration of AAL; and
 - (b) for each 6-month period commencing from 1 July 2012, during which the deed administrators are the deed administrators - within one month after that period, submit to ASIC an account that:
 - (i) is verified by a written statement;
 - (ii) shows the receipts and payments information for the relevant period; and
 - (iii) shows the aggregate amount of receipts and payments information during all preceding 6-month periods since the commencement of the deed of company arrangement.
 - (c) within 2 business days of submitting to ASIC an account referred to in subparagraph (b), make the account available on a website that is maintained by or on behalf of the deed administrators for AAL in a way that is readily accessible from the website; and

- (d) within 2 business days of commencement of this order or of any subsequent order that amends this order, make the order available on the same website, and in the same way, referred to in subparagraph (c).

Where this order ceases to apply

6. This order ceases to apply on the date that is the earlier of:
- (a) 16 October 2014; or
 - (b) the date of the termination of the deed of company arrangement of AAL.
7. This order also ceases to apply if a condition specified in paragraph 5 is not complied with and, in such a case, it ceases to apply from the date of non-compliance.

Interpretation

8. In this order:

deed administrator has the meaning given by paragraph (b) of the definition of *administrator* in section 9 of the Act.

deed of company arrangement means the deed of company arrangement in respect of AAL, executed and dated 2 May 2002 (and varied on 31 August 2006), appointing Mark Anthony Korda and Mark Francis Mentha as deed administrators.

receipts and payments information means the accounts covering each 6 month period from 31 December 2012 onwards, the information substantially in the form specified in sections 2 to 5 (inclusive) of ASIC Form 524 *Presentation of accounts and statement* that the deed administrators would have been required to lodge with ASIC under section 445J of the Act had that section applied to the deed administrators in relation to AAL.

verified by a written statement, in relation to an account, means a verification by the deed administrators in writing on the terms specified in section 7 of ASIC Form 524 *Presentation of accounts and statement*.

Dated this 7th day of December 2012



.....
Signed by Pamela Smith

as a delegate of the Australian Securities and Investments Commission



KordaMentha

7 December 2012

Mr Peng Lee
Corporations
Australian Securities and Investments Commission
GPO Box 9827
Melbourne Vic 3001

Dear Sir

**The Ansett Group of Companies as listed in Appendix 1
(All Subject to Deed of Company Arrangement) ('the Ansett Group')**

Ansett Group Reporting Exemption

We refer to the ASIC reporting exemption granted to the Ansett Group, a copy of which is available permanently on the Ansett web site. The exemption states the s524 equivalent information for the period 1 January 2010 to 30 June 2012 was required to be submitted to ASIC by 9 November 2012.

The s524 equivalent information for the period 1 January 2010 to 30 June 2012 intended to comply with the reporting exemption was provided to ASIC on 12 November 2012.

It was at the time our understanding that 12 November 2012 was the last due date for the submission of the information and as such this date was diarised for the submission of that information. We recognise that this was an error on our behalf and the information was submitted one business day late. As such the existing relief ceased to apply hence this application for new relief.

We apologise for this oversight and have corrected our internal processes to ensure this does not occur again.

We respectfully request that the reporting exemption be amended to account for this oversight and confirm that this application and the further exemption will immediately be posted on the Ansett website acknowledging both our error and the amended exemption, should ASIC be minded to grant the amendment. We attach a cheque for \$357.00 being the advised application fee.

Should you have any queries in relation to this matter, do not hesitate to contact Mr Sebastian Hams on (03) 8623 3323.

Yours faithfully

Mark Korda
Deed Administrator

Corporate Recovery Services
Turnaround & Restructuring Services
Real Estate Advisory
Forensics

info@kordamentha.com
www.kordamentha.com

Liability limited by a scheme
approved under Professional
Standards Legislation

Melbourne

KordaMentha Pty Ltd
ACN 100 169 391
Level 24, 333 Collins Street
Melbourne VIC 3000
GPO Box 2985
Melbourne VIC 3001
Office: 03 8623 3333
Fax: 03 8623 3399

Offices

Adelaide Perth
Brisbane Singapore
Gold Coast Sydney
Melbourne Townsville
New Zealand

Cooperation with AlixPartners

Chicago Munich
Dallas New York
Detroit Paris
Düsseldorf San Francisco
London Shanghai
Los Angeles Tokyo
Milan Washington, DC

Appendix 1 – The Ansett Group of Companies

Ansett Aircraft Finance Limited (Subject to Deed of Company Arrangement)	008 643 276
Ansett Australia and Air New Zealand Engineering Services Limited (Subject to Deed of Company Arrangement)	089 520 696
Ansett Australia Holdings Limited (Subject to Deed of Company Arrangement)	004 216 291
Ansett Australia Limited (Subject to Deed of Company Arrangement)	004 209 410
Ansett Equipment Finance Limited (Subject to Deed of Company Arrangement)	006 827 989
Ansett Finance Limited (Subject to Deed of Company Arrangement)	006 555 166
Ansett Holdings Limited (Subject to Deed of Company Arrangement)	065 117 535
Ansett International Limited (Subject to Deed of Company Arrangement)	060 622 460
Eastwest Airlines (Operations) Limited (Subject to Deed of Company Arrangement)	000 259 469
Eastwest Airlines Limited (Subject to Deed of Company Arrangement)	000 063 972
Northern Airlines Limited (Subject to Deed of Company Arrangement)	009 607 069
ANST Westsky Aviation Limited (Formerly Skywest Aviation Limited) (Subject to Deed of Company Arrangement)	004 444 866
Westintech Limited (Subject to Deed of Company Arrangement)	009 084 039
Wridgways Holdings Limited (Subject to Deed of Company Arrangement)	004 449 085