



## Securities Act (BHP Billiton Limited) Exemption Notice 2002

Pursuant to the Securities Act 1978, the Securities Commission gives the following notice.

### Contents

1	Title	4	Interpretation
2	Commencement	5	Exemption
3	Expiry	6	Condition

---

### Notice

#### 1 Title

This notice is the Securities Act (BHP Billiton Limited) Exemption Notice 2002.

#### 2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

#### 3 Expiry

This notice expires on the close of 31 December 2002.

#### 4 Interpretation

(1) In this notice, unless the context otherwise requires,—

**Act** means the Securities Act 1978

**BHP Steel** means BHP Steel Limited

**BHPB** means BHP Billiton Limited

**BHPB shareholders** means the holders of securities of which BHPB is the issuer

**offerors** means BHPB shareholders who reoffer under the sale facility the specified securities to which they are entitled under the scheme

**Regulations** means the Securities Regulations 1983

**sale facility** means the sale facility to be promoted by BHPB as a means for BHPB shareholders to offer their specified securities

**scheme** means the scheme of arrangement under the Corporations Act of Australia under which specified securities are to be distributed to BHPB shareholders

**specified securities** means ordinary shares in BHP Steel that have been previously allotted to BHPB with a view that they be—

- (a) reoffered to the public in New Zealand by BHPB; or
- (b) distributed by BHPB under the scheme to BHPB shareholders.

- (2) Any term or expression that is defined in the Act or the Regulations and used, but not defined, in this notice has the same meaning as in the Act or Regulations.

## 5 Exemption

BHPB, BHP Steel, the offerors, and every person acting on behalf of any or all of them are exempted from regulation 7A(1) of the Regulations to the extent that that provision would require an investment statement relating to any specified securities to contain information about BHPB or the other offerors as issuers of those securities.

## 6 Condition

The exemption is subject to the condition that the investment statement relating to the specified securities contains—

- (a) a description of the effect of the exemption; and
- (b) a statement to the effect that—
  - (i) both BHPB and the other offerors are issuers of the specified securities; and
  - (ii) both BHPB and the other offerors have obligations as issuers under the Act and Regulations.

Dated at Wellington this 14th day of May 2002.

The Common Seal of the Securities Commission was affixed in the presence of:

[L.S.]

J. Diplock,  
Chairperson.

---

### Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice comes into force on the day after the date of its notification in the *Gazette* and expires on 31 December 2002.

The notice exempts BHP Billiton Limited, BHP Steel Limited, and BHP Billiton Limited shareholders, subject to a condition, from regulation 7A(1) of the Securities Regulations 1983 to the extent that the regulation would require an investment statement relating to certain previously allotted BHP Steel Limited securities to contain information about BHP Billiton Limited or BHP Billiton Limited shareholders.

---

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 16 May 2002.

This notice is administered in the Securities Commission.

---