

# Notice of intention to carry out a share buy-back

**Related forms:**

280 Notification of share buy-back details

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

## Company details

Company name

Property Fox No1 Limited.

ACN/ABN

101 616 353

## Lodgement details

Who should ASIC contact if there is a query about this form?

Firm/organisation

Whittens Lawyers

Contact name/position description

Andrew Whitten / Solicitor

ASIC registered agent number (if applicable)

Telephone number

61-2-9264 2216

Postal address

Suite 9, Level 5

137 Bathurst St Sydney NSW 2000

## 1 Type of share buy-back

For guidance on when a Form 281 needs to be lodged, see the BUY-BACK PROCEDURE table on page 2.

Tick the box for the type of share buy-back and provide the dates as requested.

The 10/12 limit is 10% of the smallest number, at any time during the last 12 months, of votes attaching to voting shares of the company.

☐ Employee share scheme  
buy-back  
(within 10/12 limit)

Proposed date for buy-back  
agreement to be entered into

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

☐ Employee share scheme  
buy-back  
(over 10/12 limit)

Proposed date for buy-back  
agreement to be entered into

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

AND Proposed date for passing the  
resolution to approve the buy-back

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

☐ On-market buy-back  
(within 10/12 limit)

Period of buy-back  
From

20 / 09 / 07  
[D] [D] [M] [M] [Y] [Y]

to

31 / 12 / 07  
[D] [D] [M] [M] [Y] [Y]

☐ On-market buy-back  
(over 10/12 limit)

Period of buy-back  
From

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

to

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

AND Proposed date for passing the  
resolution to approve the buy-back

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

☐ Equal access scheme buy-back  
(within 10/12 limit)

Proposed date for buy-back  
agreement to be entered into

[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

# 1 Continued... Type of share buy-back

☐ Equal access scheme buy-back  
(over 10/12 limit)

Proposed date for buy-back  
agreement to be entered into  
[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

AND Proposed date for passing the  
resolution to approve the buy-back  
[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

☐ Selective buy-back

Proposed date for buy-back  
agreement to be entered into  
[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

AND Proposed date for passing the  
resolution to approve the buy-back  
[ ] [ ] / [ ] [ ] / [ ] [ ]  
[D] [D] [M] [M] [Y] [Y]

## Signature

This form must be signed by a director or  
secretary.

Name

*Andrew Whitten*

Capacity

☐ Director

☒ Secretary

Signature

*Andrew Whitten*

Date signed

03/09/07  
[D] [D] [M] [M] [Y] [Y]

## Lodgement

Send completed and signed forms to:  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841.

## For help or more information

Telephone 03 5177 3988  
Email [info.enquiries@asic.gov.au](mailto:info.enquiries@asic.gov.au)  
Web [www.asic.gov.au](http://www.asic.gov.au)

## BUY-BACK PROCEDURE

The following table specifies the steps required for, and the sections (and forms) that apply to, the different types of buy-back.

Procedures ( and sections applied)	Minimum holding	Employee share scheme buy-back		On-market buy-back		Equal access scheme buy-back		Selective buy-back
		within 10/12 limit	over 10/12 limit	within 10/12 limit	over 10/12 limit	within 10/12 limit	over 10/12 limit	
Ordinary resolutions (s257C)			YES		YES		YES	
Special/unanimous resolutions (s257D)								YES
Lodge offer documents with ASIC (s257E)						YES	YES	YES
14 days notice (s257F)		YES	YES	YES	YES	YES	YES	YES
Disclose relevant information when offer made (s257G)						YES	YES	YES
Cancel shares (S257H)	YES	YES	YES	YES	YES	YES	YES	YES
Notify cancellation to ASIC on Form 484 (s254Y)	YES	YES	YES	YES	YES	YES	YES	YES
Lodge Form 280 with ASIC	NO	NO	YES	NO	YES	YES	YES	YES
Lodge Form 281 with ASIC	NO	YES	See Note 1	YES	See Note 1	See Note 1 & 2	See Note 1 & 2	See Note 1 & 2

**NOTE 1** The company should lodge a Form 281 if it intends to give short (less than 14 days) notice of a meeting to approve the buy-back and lodge the notice of meeting (with a Form 280) less than 14 days before the relevant date.

**NOTE 2** The company should lodge a Form 281 if it lodges the documents referred to in s257E less than 14 days before the relevant date.

### Relevant dates and lodgement periods

- If the buy-back agreement is conditional on the passing of a resolution — the relevant date is date the resolution is passed.
- If the buy-back is not conditional on the passing of a resolution — the relevant date is the date the agreement is entered into (s257F).
- If a resolution is to be passed by way of a circular to all members that complies with s249A, an estimated last date for signing the circular should be used.

The Form 281 must be lodged at least 14 days before the relevant date.

## Guide:

# Notice of intention to carry out a share buy-back

This guide is not part of the form. It is included by ASIC to assist you in completing and lodging the Form 281.

**Related forms:**

280 Notification of share buy-back details

Signature	This form must be signed by a director or secretary of the company.													
Lodging fee	Nil  A form is not considered lodged until it is received and accepted by ASIC as being in compliance with s1274(8) of the <i>Corporations Act 2001</i> . A receipt will not be issued unless requested.													
Lodgement period	If the buy-back agreement is conditional on the passing of a resolution and a Form 281 is required, it must be lodged at least 14 days before the resolution is passed.  If the buy-back agreement is <b>not</b> conditional on the passing of a resolution and a Form 281 is required, it must be lodged at least 14 days before the agreement is entered into (s257F).													
Other forms	A Form 280 <i>Notification of share buy-back details</i> may also be required to be lodged in certain circumstances (see table on page 2 of the form).													
Additional information	Policy Statement 110 <i>Share buy-backs</i> - see <a href="http://www.asic.gov.au/ps">www.asic.gov.au/ps</a> Information sheet <i>Share buy-backs</i> - see <a href="http://www.asic.gov.au/infosheets">www.asic.gov.au/infosheets</a>  <table><tr><th>Definitions of terms</th><th><i>Corporations Act 2001</i></th></tr><tr><td>Equal access scheme</td><td>See s257B(2) &amp; (3)</td></tr><tr><td>On market buy-back</td><td>See s257B(6) &amp; (7)</td></tr><tr><td>Minimum holding buy-back</td><td>See s9</td></tr><tr><td>Employee share scheme buy-back</td><td>See s9</td></tr><tr><td>Selective buy-back</td><td>See s9</td></tr></table>		Definitions of terms	<i>Corporations Act 2001</i>	Equal access scheme	See s257B(2) & (3)	On market buy-back	See s257B(6) & (7)	Minimum holding buy-back	See s9	Employee share scheme buy-back	See s9	Selective buy-back	See s9
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Employee share scheme buy-back	See s9													
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Lodgement	Send completed and signed forms to: Australian Securities and Investments Commission, PO Box 4000, Gippsland Mail Centre VIC 3841.	<b>For help or more information</b> Telephone 03 5177 3988 Email <a href="mailto:info.enquiries@asic.gov.au">info.enquiries@asic.gov.au</a> Web <a href="http://www.asic.gov.au">www.asic.gov.au</a>												