

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1) and 911A(2)(l) – Exemption**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsections 601QA(1) and 911A(2)(l) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 17-0489.

Commencement

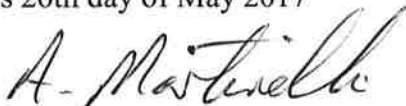
3. This instrument commences on the later of gazettal and the date of change of the trustee of SPDR S&P ETF Trust, being 16 June 2017 or such other date on which the change occurs.

Order

4. ASIC Instrument 14-0954 continues in force but is amended as follows:
 - (a) the definition of “SSBT & Co” in paragraph 9.1 is deleted;
 - (b) each reference in the Instrument to “SSBT & Co” is replaced with “SSGA TC”;
 - (c) in the definition of “Class Order” in paragraph 9.1, the words “this instrument” are deleted and replaced with “22 September 2014”; and
 - (d) a new definition is inserted in the correct alphabetical order in paragraph 9.1 as follows:

“**SSGA TC** means State Street Global Advisors Trust Company, a Massachusetts bank and trust company formed in the United States of America and registered under Division 2 of Part 5B.2 of the Act with ARBN 619 273 817.”

Dated this 26th day of May 2017



Signed by Abramo Martinelli
as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 601QA(1)(a) and 911A(2)(l)
Exemption

Enabling legislation

- 1 The Australian Securities and Investments Commission makes this instrument under paragraphs 601QA(1)(a) and 911A(2)(l) of the *Corporations Act 2001* (Cwlth) (the **Act**).

Title

- 2 This instrument is ASIC Instrument 14-0954.

Commencement

- 3 This instrument commences on gazettal.

Exemption

- 4 Neither SSBT & Co nor the Trustee is required to:
- (a) comply with section 601ED of the Act in relation to the Trust; or
 - (b) hold an Australian financial services licence for the provision of the following financial services:
 - (i) dealing in financial products in the ordinary course of the operation of the Trust other than by issuing financial products;
 - (ii) dealing in derivatives or foreign exchange contracts for the purpose of managing a financial risk to the Trust that arises in the ordinary course of the operation of the Trust (provided dealings in derivatives or foreign exchange contracts with persons in this jurisdiction is not a significant part of SSBT & Co's or the Trustee's business);
 - (iii) providing a custodial or depository service by holding assets of the Trust,

for so long as the conditions in each of paragraph 5 and paragraph 7 of this instrument are met.

Where this instrument applies*Disclosure to wholesale investors in CDI issue situations*

- 5 SSBT & Co, including in its capacity as Trustee, must comply with each of the conditions set out in paragraph 6 of the Class Order, and the notification requirements set out in paragraph 3(d) of the Class Order, as if SSBT & Co was an exempt operator, the Trust was an exempt FCIS and CDI Holders were the sole members of the Trust with the sole exception that paragraph 6(c) of the Class Order shall not apply and instead SSBT & Co, in its capacity as Trustee or otherwise, must comply with the following condition:

“SSBT & Co, in its capacity as Trustee or otherwise, must:

- (i) notify in writing all wholesale clients in this jurisdiction before they apply for the issue of a CDI over an interest in the Trust in respect of the CDI Offer; or
- (ii) publish a notification through the ASX market announcements platform before any wholesale client in this jurisdiction becomes a CDI Holder pursuant to a transfer of a CDI over an interest in the Trust created as a result of the CDI Offer,

that the Trust and SSBT & Co are regulated by the laws of a foreign jurisdiction, and that those laws differ from Australian laws. SSBT & Co is not required to provide such notification to wholesale clients in this jurisdiction in any other circumstances."

- 6 If SSBT & Co provides particulars to ASIC in accordance with paragraph 3(d) of the Class Order (as applied by this instrument), paragraph 3(e) of the Class Order shall apply with respect to the ability of SSBT & Co to rely on this instrument as though the reference to "this instrument" in paragraph 3(e) were a reference to this instrument.

Dispute resolution facility

- 7 SSBT & Co, including in its capacity as Trustee, must procure that SSgA,ASL provides for the benefit of each CDI Holder the Undertakings.

Schedule C to Class Order

- 8 Schedule C to the Class Order is deemed to be incorporated in this instrument, *mutatis mutandis*.

9 **Interpretation**

- 9.1 In this instrument:

Unless otherwise defined herein, terms have the same meaning as in the Class Order.

CDI has the meaning given to that term in the ASX Settlement Operating Rules, as amended from time to time.

CDI Holder means a holder of a CDI over an interest in the Trust in respect of the CDI Offer.

CDI Offer means the offer of CDIs over interests in the Trust made by the Trustee in this jurisdiction arranged by SSgA,ASL on behalf of the Trustee.

Class Order means ASIC Class Order [CO 04/526] as in force on the date of this instrument.

SSBT & Co means State Street Bank and Trust Company, a company formed in the United States of America and registered under Division 2 of Part 5B.2 of the Act with ARBN 062 819 630.

SSgA,ASL means State Street Global Advisors, Australia Services Limited (ABN 16 108 671 441) (Australian Financial Services licence number 274900), being a related body corporate of SSBT & Co.

Trust means the SPDR S&P 500 ETF Trust.

Trustee means SSBT & Co as trustee of the Trust.

Undertakings means undertakings provided by SSgA,ASL to each current or future CDI Holder in a binding deed substantially to the following effect, that SSgA,ASL will:

- (a) in respect of a complaint it receives from a CDI Holder, provide access free of charge to SSgA,ASL's internal complaints and dispute resolution facilities;
- (b) ensure that the facilities offered to the CDI Holders in respect of the Trust and the CDIs over interests in the Trust comply with the requirements of section 912A(2) of the Act as if the Trust was a managed investment scheme registered under the Act and operated by SSgA,ASL as responsible entity and the CDI Holder was a member of that scheme;
- (c) arrange for CDI Holders to be able to access SSgA,ASL's external dispute resolution facility, being the facility provided by the Financial Ombudsman Service or any alternative reasonably equivalent service; and
- (d) provide information in any product disclosure statement for the CDIs over interests in the Trust as to how the complaints facilities described in the deed can be accessed.

Dated: 22 day of September 2014

Andrew Mitchell

Signed by Andrew Mitchell as a delegate of the Australian Securities and Investments Commission

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 1020F(1)(a) – Order**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 17-0488.

Commencement

3. This instrument commences on the later of gazettal and the date of change of the trustee of SPDR S&P ETF Trust, being 16 June 2017 or such other date on which the change occurs.

Order

4. ASIC Instrument 14-0955 continues in force but is amended as follows:

Omit the reference to “Neither State Street Bank and Trust Company (ABN 70 062 819 630)” and insert “Neither State Street Global Advisors Trust Company (ARBN 619 273 817)”.

Dated this 26th day of May 2017



Signed by Abramo Martinelli
as a delegate of the Australian Securities and Investments Commission

**Australian Securities and Investments Commission
Corporations Act 2001 - Paragraph 1020F (1)(a)**

Enabling legislation

- 1 The Australian Securities and Investments Commission makes this instrument under paragraph 1020F (1) (a) of the *Corporations Act 2001* (Cwlth) (the **Act**).

Title

- 2 This instrument is ASIC Instrument 14-0955.

Commencement

- 3 This instrument commences on gazettal.

Exemption

- 4 Neither State Street Bank and Trust Company (ABN 70 062 819 630) (**Trustee**) nor State Street Global Advisors, Australia Services Limited (ABN 16 108 671 441) is required to comply with section 1017B of the Act in relation to interests in a class of interests in the Trust that are admitted to Trading Status for so long as the conditions in paragraph 5 are met.

Conditions

- 5 The Trustee must:
- (a) comply with section 675 of the Act as if:
 - (i) the Trust was a registered managed investment scheme and an unlisted disclosing entity; and
 - (ii) the Trustee was the responsible entity of the Trust; and
 - (b) include statements in any Product Disclosure Statement for interests in the Trust to the effect that the Trustee will comply with the continuous disclosure requirements in the Act as if the Trust were a registered managed investment scheme and an unlisted disclosing entity.

Interpretation

- 6 In this instrument:

ASX means ASX Limited (ACN 008 624 691).

Trading Status has the same meaning as in the operating rules of ASX as at the date of this instrument.

Trust means the SPDR S&P 500 ETF Trust for so long as it is exempted from registration under Part 5C.1 of the Act.

Dated: 22 September 2014



Signed by Andrew Mitchell as a delegate of the Australian Securities and Investments Commission
as a delegate of the Australian Securities and Investments Commission