



## Financial Services Guide

FEBRUARY 2014

<http://www.bby.com.au>

### 1. CONTENTS OF THIS FSG

This FSG is an important document that contains a summary of each of the financial services that BBY offers, and the types of financial products to which those services relate. This FSG is dated 7 February 2014 and has effect from this date. You can also find information about each of the following:

- the capacity in which we act when we provide a financial service to you;
- how you can instruct us in relation to your investment;
- PDS or other documents that you may receive from us;
- remuneration that may be paid to us and other relevant persons in relation to the financial services we provide;
- your rights as an investor; and
- how we deal with complaints made against us.

Depending on the financial products that you wish to trade in, you may also receive an FSG from SmarTrader (a related body corporate of BBY that provides education services to clients) or FSGs of other financial services providers that BBY has arrangements with.

### 2. GLOSSARY OF TERMS

**Adviser** means your BBY adviser, or, if you are a client of BBY as a result of your arrangements with an Intermediary, your Intermediary or independent financial adviser, as the context requires.

**AFSL** means Australian financial services licence issued under the Corporations Act.

**APX** means Asia Pacific Exchange Limited ABN 19 080 399 220 or the market conducted by APX, as the context requires.

**ASIC** means the Australian Securities and Investments Commission.

**ASX** means ASX Limited ABN 98 008 624 691 or the market conducted by ASX, as the context requires.

**ASX 24** means Australian Securities Exchange Limited ABN 83 000 943 377 (formerly known as the Sydney Futures Exchange Limited) or the market conducted by ASX 24, as the context requires.

**BBY** means BBY Limited ABN 80 006 707 777, AFSL No. 238095

**Chi-X** means Chi-X Australia Pty Ltd ACN 129 584 667 and market operated by it.

**Corporations Act** means the *Corporations Act 2001* (Cth).

**ETO** means an exchange traded option that may be traded on an exchange such as ASX.

**Intermediary** means an entity that has entered into an arrangement with BBY under which that entity may, as agent for its clients, arrange for BBY to execute transactions on behalf of the client.

**PDS** means Product Disclosure Statement.

**SmarTrader** means SmarTrader Limited ABN 37 115 752 102, ASFL No. 295337.

**SOA** means Statement of Advice.

**We, us or our** means BBY Limited.

### 3. ABOUT THE BBY GROUP

BBY is a Market Participant of ASX, Chi-X and APX, a Clearing Participant of ASX Clear and a Settlement Participant of ASX Settlement and a member of the Stockbrokers Association of Australia.

BBY is 100% owned by BBY Holdings Pty Ltd ABN 48 075 187 432.

BBY is a related company of SmarTrader.

BBY holds an Australian Financial Services Licence number 238095 which permits BBY to provide the services described in section 6 of this FSG. As the holder of an AFSL BBY must comply with its obligations under the Corporations Act which is administered by ASIC.

### 4. HOW YOU CAN ACCESS OUR SERVICES

To access the services offered by BBY, you will be required to complete an application form and enter into a Client Agreement relevant to the particular service, unless BBY agrees otherwise. You should read the terms of the Client Agreement carefully. If you have any questions about any BBY Client Agreement we recommend that you seek independent legal advice. BBY cannot provide you with legal advice.

You can contact your Adviser to give instructions to buy or sell financial products in any of the following methods:

- telephone,
- writing
- faxing; or
- e-mailing your Adviser.

You may also be able to access online trading platforms that allow you to deal by giving instructions electronically. If you are granted such access, you should read the separate documentation for those facilities carefully and make sure you understand how they operate.

Please note, instructions that are received by facsimile, post or e-mail will not be deemed to be received until your Adviser has confirmed receipt.

To assist us in executing or arranging for the execution of your order efficiently, it is essential that you provide your Adviser with clear instructions when placing your order.

BBY will process your order in accordance with the ASIC Market Integrity Rules, ASX Operating Rules, Chi-X Operating Rules, APX Operating Rules (where applicable) or any other applicable rules and requirements.

### 5. OTHER DISCLOSURE DOCUMENTS FROM BBY

As well as this FSG, you may, from time to time, be given by your Adviser a BBY PDS. The PDS will relate to financial products issued (or taken to be issued) by BBY (or which BBY arranges to be issued to you). For example, if you are transacting in ASX ETOs or ASX 24 futures you will receive a PDS from BBY (although, you should note that BBY is not an issuer of ASX 24 futures, nor is it a Market Participant of ASX 24. See section 4 for further information about the ASX 24 futures arrangements that BBY has in place.) You might also receive a PDS from BBY in relation to trading in OTC derivatives such as contracts for differences.

There are a number of exceptions to when BBY has an obligation to issue a PDS including where you already have a current PDS, or where you hold a financial product of the same kind and you have access to current information about that particular financial product.

Generally, a PDS will contain product-specific details such as significant risks that might be associated with holding that product, fees and charges, and information about any brokerage, commission or similar payments to BBY that might impact on the amount of profits you can make.

Depending on the types of financial products that you wish to trade, you may also receive a PDS that is issued by another financial services provider.

BBY provides general advice but does not provide personal advice to clients. This means that you will not receive an SoA from BBY. You may receive personal advice and an SoA from your intermediary or independent financial advisor, who does not represent BBY. If you do receive personal advice from your intermediary or independent financial advisor, BBY will not be responsible for, or liable to you for, such personal advice.

### 6. WHAT FINANCIAL SERVICES ARE WE AUTHORISED TO PROVIDE?

BBY is authorised under its AFSL to provide the following financial services:

1. Provide financial product advice, (personal and general) in respect of the following financial products:
  - deposit and payment products limited to basic and non-basic deposit products;
  - derivatives, debentures, stocks or bonds issued or proposed to be issued by a government;
  - foreign exchange contracts;
  - interests in managed investment schemes (excluding investor directed portfolio services); and
  - securities.
2. Deal in a financial product by:
  - issuing, applying for, acquiring, varying or disposing of a financial product in respect of the following classes of financial products:
    - derivatives
    - debentures, stocks or bonds issued or proposed to be issued by a government
    - foreign exchange contracts;
    - interests in managed investment schemes excluding investor directed portfolio services
    - securities;
  - applying for, acquiring, varying or disposing of a financial product on behalf of another person in respect of the following classes of products:
    - deposit and payment products limited to:
      - basic deposit products;
      - deposit products other than basic deposit products;
    - derivatives
    - debentures, stocks or bonds issued or proposed to be issued by a government
    - foreign exchange contracts;
    - interests in managed investment schemes

excluding investor directed portfolio services

- securities

• underwriting:

- interests in managed investment schemes; and

- an issue of securities.

3. make a market in relation to:

• foreign exchange contracts; and

• derivatives.

4. Provide custodial or depository services other than investor directed portfolio services.

When dealing in relation to certain products, such as ASX 24 futures, BBY has an arrangement with a Market Participant of ASX 24 under which BBY will route your orders to the Market Participant who will execute the order (in BBY's name).

If you wish to trade in ASX 24 futures, further information is available in the BBY ASX 24 futures PDS. Please contact BBY if you would like a copy of this PDS.

### 7. THE SERVICES WE OFFER

The services which BBY provides are as follows:

#### Financial advice

BBY may give you general financial advice in relation to trading in securities, derivatives, interests in managed investment schemes and futures. BBY will not provide you with personal financial advice, so BBY will not give you an SoA.

General advice can include direct or implied recommendations about financial products or services, whether generally or for a class or kind of investor, without taking into account your particular circumstances. General advice includes advice based on consideration of the investment alone (including by reference to current market conditions) and any such general advice is provided without any express or implied recommendation that such advice is appropriate for you in light of your personal circumstances.

Regular updates, marketing materials, multi-media courses, research reports, market reports, PDSs or other offer documents and website content are not personal advice. The BBY Group may collect personal or investment information from you to identify you, or for marketing purposes and to administer your account and our credit exposure to you. Collection of personal information is not to be implied that personal advice is given. Clients should also determine if it is appropriate for them to trade these products.

#### Dealing services

BBY provides execution and clearing services for transactions in securities, OTC products, ETOs, and interests in managed investment schemes executed through ASX (and on Chi-X and APX where applicable). BBY may also be engaged by an intermediary to provide to clients of the intermediary execution and clearing services in securities, ETOs and interests in managed investment schemes. This means that BBY will execute the transaction on ASX for you and clear and settle those transactions.

BBY also offers over the counter derivative trading where BBY acts as either issuer or intermediary for trading in financial products such as contracts for difference and margin foreign exchange trading. There are significant risks associated with trading in these types of products, and clients should ensure that they receive and understand the PDS associated with the type of product they are considering trading in before commencing trading.

If you trade in ETOs or other derivatives through BBY, BBY will give you a PDS that sets out the risks, benefits and other information in relation to trading in derivatives.

If you are a client of an intermediary, you may effect a transaction in securities, ETOs, OTC products or interests in managed investment schemes on ASX by providing instructions to the intermediary. The intermediary will then act as your agent, communicate your instructions to BBY who may then execute the transaction on ASX for you. For this purpose, you will become BBY's client.

In addition, BBY will also clear all transactions in securities, ETOs or interests in managed investment schemes that BBY has executed on your behalf under this arrangement. Accordingly, BBY will carry the settlement obligations in respect of those transactions and you will owe your settlement obligations in respect of those transactions directly to BBY (and not to the intermediary if an intermediary was involved).

BBY provides dealing services in futures contracts traded on ASX24. Where BBY offers this service to you, BBY acts as your agent in placing orders on ASX24 on your behalf through its omnibus account with its prime futures broker. BBY is not a participant of ASX24.

BBY provides dealing services to you in relation to carbon assets (including, but not limited to, Certified Emission Reduction units (**CERs**) and New Zealand Units (**NZUs**)). If BBY does provide dealing services in relation to carbon assets, you will also receive nominee services from BBY. BBY will hold the legal title of your carbon units on the registry, but you will be the beneficial owner of the carbon assets, and BBY will only deal with the carbon units on your instructions.

BBY may also offer trading in precious metals such as gold bullion through an online trading platform. Information about this type of trading, and the risks associated with buying and selling precious metals, will be provided to you if you wish to open an account with BBY in relation to these investments.

### **Sponsorship**

BBY may act as your CHES Sponsoring Participant. You will need to enter into the BBY sponsorship agreement if you want BBY to be your sponsor on CHES.

### **Nominee and custody services**

BBY may arrange for its wholly owned subsidiary, BBY Nominees to provide nominee and other custody services to you where BBY provides execution and clearing or other services to you (including dealing in carbon units). If you want BBY to arrange for BBY Nominees to provide nominee or custody services to you, you will need to enter into an agreement for this purpose.

### **Other services**

BBY arranges for clients to trade in international securities through its arrangements with Ord Minnett, Macquarie Bank and/or Pershing. BBY may enter into relationships with other providers that allow trading in international

products such as securities.

## **8. IN WHAT CAPACITY DO WE ACT?**

In providing the services described in this FSG, BBY acts as principal. The exception to this is when BBY executes a transaction (or arranges for a transaction to be executed) for you. In that case, BBY acts as your agent.

Additionally, where BBY arranges for another entity to provide you with financial services, such as an ASX 24 Market Participant or other online broker, BBY acts as your agent (and not the agent of the ASX 24 Market Participant). The exception to this is in relation to the provision to you of any relevant FSG or disclosure document, in which case, BBY acts as the agent of the ASX 24 Market Participant or other broker.

## **9. DO WE HAVE ANY RELATIONSHIPS OR ASSOCIATIONS WITH FINANCIAL PRODUCT PROVIDERS?**

BBY and its associated entities, and their respective directors, associates, connected parties and/or employees may from time to time deal in or otherwise have a financial interest in financial products referred to in its research or that you may otherwise deal. You should review any disclosures made in particular research or PDS as to interests BBY may have in the relevant financial products.

BBY does not act as an agent of any ASX 24 Market Participant, other than in providing to you the FSG and other disclosures about the services provided by the ASX 24 Market Participant as described in this FSG.

## **10. HOW IS BBY PAID FOR ITS SERVICES?**

Brokerage, commission, fees or a combination will apply depending on the services and products in respect of which you choose to instruct BBY.

Where a PDS is given to you for a transaction involving a particular financial product, the PDS will disclose details of commissions, fees or other benefits received by BBY in respect of the transaction in respect of that financial product.

Fees for other services that BBY provides are listed below. BBY will be paid fees and commissions by you directly, or through a financial intermediary, depending on the services you choose and the amount you invest.

You can contact your Adviser for further information about how BBY and its representatives are remunerated.

### **10.1 Payments by you to BBY**

#### **Equities**

BBY charges clients brokerage on all equities transactions where it is permitted to do so under the Corporations Act.

The brokerage fee is based on the dollar value of your transaction. Generally a minimum brokerage fee of \$110.00 (ie \$100+\$10 GST) or 1.1% (ie 1% + 0.1% GST) whichever is the larger per transaction applies.

Please note, these rates may vary in BBY's discretion. You should contact your Adviser if you require further information.

#### **ASX ETOs**

BBY charges clients brokerage on all ASX ETO transactions where it is permitted to do so under the Corporations Act.

The brokerage fee is based on the dollar value of your transaction. Generally a minimum brokerage fee of \$110.00 (ie \$100+\$10 GST) or 1.1% (ie 1% + 0.1% GST) whichever is the larger per transaction applies.

Please note, these rates may vary in BBY's discretion. You should contact your Adviser if you require further information.

ASX Clear charges a transaction fee of \$0.143 per option contract, including GST. If you exercise an ETO, ASX Clear charges an exercise fee of \$0.055 per contract, including GST.

In the case of index options, ASX Clear charges a transaction fee of \$0.495 per option contract, including GST. If you exercise an ETO, ASX Clear charges an exercise fee of \$0.055 per contract, including GST.

The ASX Clear fees referred to above are current as at the date of this FSG. The actual cost of your transaction will be disclosed in your transaction confirmation. These ASX Clear fees will be passed on to you by BBY.

In addition to brokerage described above, BBY may charge you other fees in connection with the clearing and settlement of transactions as described in section 10.3 below.

### Futures brokerage fees and rates (GST inclusive)

BBY charges transaction fees on each ASX 24 futures and ASX 24 futures option contract executed on your behalf. All transaction fees for futures transactions are charged on a per contract basis.

The standard fees you will typically be charged for futures transactions will be charged in the currency of the relevant exchange and are as follows (note that the minimum charges set out below are for large volumes and the charges that BBY charges you for trading may vary significantly depending on volume):

Currency	Minimum per transaction per contract	Maximum per transaction per contract	Minimum per round turn	Maximum per round turn
AUD	13.75	110	27.50	220
USD	13.75	110	27.50	220
NZD	13.75	110	27.50	220
GBP	9.90	80	19.80	160
EUR	9.90	80	19.80	160
JPY	2200	17500	4400	35000
HKD	110	880	220	1760

### OTC Transactions Fees (for trading in CFDs etc on the platforms)

For OTC transactions, such as FX contracts, base metals, commodities and CFDs the following applies:

- BBY acts as principal to the transaction unless otherwise indicated in a transaction or service to you. If BBY acts as principal, BBY is the party with whom you are transacting. In this instance, BBY does not charge a commission or a brokerage fee but charges a transaction fee calculated on the transaction's full face value subject to minimum amounts. The fees and charges for OTC transactions are disclosed in the PDSs for those products.
- BBY may act as your agent with respect to the transaction (where it does not act as principal dealing with you). In this instance, each transaction will incur a transaction fee (also referred to as brokerage or commission), typically starting at between 2 and 50 basis points, up to a maximum of 100 basis points, of the transaction's full face value

amount. If GST is applicable, it will be added to those amounts. A "basis point" is 1/100 of 1%.

### Dealing in carbon assets

BBY charges transaction fees for each dealing in relation to carbon assets that is carried out on your behalf, in accordance with the BBY Carbon Trading Terms and Conditions. Speak to your BBY advisor if you wish to know more about trading in carbon assets and the fees and charges that apply to this type of trading.

### Nominee and custody services

Where BBY agrees to provide nominee or custody services to you, BBY may charge you fees for that service. BBY will advise you of the relevant fees and charges for these services at the time of the provision of the service.

### Portfolio management and specialist advisory services

Portfolio management & Administration services are available on a fee for service basis. Depending on your needs and the products in which you trade, you may require a specialist adviser (eg. Portfolio reviews that include foreign securities).

Following consideration and the scope of the services required, your BBY Adviser will advise you in writing of the applicable fees. Once again, please contact your BBY Adviser for further details about this service.

### BBY adviser fees

BBY Advisers are paid a salary and a variable component based on the amount of brokerage that they generate. The variable component is determined by the level of brokerage received by BBY. As a general rule, our advisers can receive between 0% and 55% of the fees BBY receives.

In addition, our advisers may receive commissions for your participation in a securities offering conducted by BBY. These fees may also be received by BBY during the period in which you maintain your investment in the securities (trailing commissions). The trailing commissions may range from 0% to 5.5% of your investment amount. Such fees may be calculated by reference to the amount of money invested in the securities from time to time

BBY Advisers may also receive non-monetary benefits or incentives from time to time. For example, if they meet certain performance milestones.

BBY may have arrangements with third parties where BBY provides third party referrals to external education companies and they may pay a fee. The referral fee may be up to 60% of the revenue earned by the referral party.

## 10.2 Other Payments to BBY

### Underwriting

BBY receives remuneration for its advisory, underwriting and/or transactional services on behalf of issuers. If you participate in a securities offering by applying for securities through BBY, BBY may receive fees from the issuer of the securities in relation to your application. In addition, where BBY acts as an underwriter, sub-underwriter or manager of such offerings, BBY may receive fees for acting in that capacity.

**Warrants**

BBY may, in addition to charging you brokerage, be entitled to receive a commission payable by the issuer of warrants where you transact in those instruments. The amount of commission receivable is dependent on the identity of the issuer, the nature of the instrument and the total volume of warrants traded.

**Cash Management Trusts and Cash Management Accounts**

BBY may receive a commission from cash management trustees and operators of managed investment schemes or managed investment accounts for any funds lodged with them on your behalf.

Commissions received by BBY will be described in the PDS or other terms of offer for those products. Your Adviser will explain to you how those commissions are calculated at the time of making the recommendation.

We may or may not be paid an up front commission by the product issuer. Any up-front commission that we receive will generally be in the range of 0% to 5% per annum calculated on the amount that you invest.

We may also receive an ongoing trail commission. This amount may vary and is typically 0.1% to 0.4% per annum of the value of your holdings in the product for as long as you continue to hold the product.

10.3 Miscellaneous fees

**Note that the fees listed below are correct at the date of this FSG but are subject to change without notice to you.**

**Fail fees**

When stock is not available to meet BBY’s settlement obligation, or if you do not provide us with sufficient funds in time to settle market obligations in relation to a buy transaction, you will be charged fail fees, which will be the greater of \$100 and the daily ASX fail fee, which is calculated at 0.1% of settlement consideration, subject to a minimum of \$100 and maximum of \$5,000 (+10 - \$500 GST GST) for each failed settlement.

BBY will levy an administration fee for your failure to settle on the due date.

**Late Payment fees**

If you do not provide us with sufficient funds in time to settle market obligations in relation to a buy transaction you will be charged \$50.00 min or 0.10% on total +GST per trade per day.

BBY may charge a fee up to the amounts stated below with respect to the following types of transactions and services.

Client not sponsored by BBY	\$25.00 (inclusive of GST) each time you buy or sell securities
No direct debit / credit set up with account	\$25.00 (inclusive of GST) for each transaction
Cheque & Direct Debit Dishonour	\$55
Cheque Stop Payment	\$20
Transaction reversal or corrections due to client error	\$22.00
Customer Trace Fee	\$30
Telegraphic Transfers	\$35
Real Time Gross Settlement (RTGS) (Domestic)	\$35
Off Market Transfers	\$55 per stock
SRN Requests to Share Registries	\$22.00
International Trade Administration Fee	\$250.00 annual fee to hold stock and \$200.00 in addition to brokerage charge for any new trade
Nominee Service Fee	\$10 per stock per month
Deceased Estate and Bankruptcy administration fee	\$75.00 per Deceased Estate Management
Failing Trades	\$55.00 (inclusive of GST) for each contract note that is failing at T5 and over

**Other**

There may be other products that BBY receives fees or commission on from other parties. These will vary from each product and will be disclosed in the relevant PDS. Additionally, if we provide you with advice, your Adviser will disclose any relevant fees or commissions to you.

**11. TRANSACTION INFORMATION**

Whenever a transaction is executed on your account, a confirmation or statement will be sent to you. Confirmations may be sent by email, may be a “pop-up” box on your online trading platform or will be available in the online trading system’ reporting functionality. If no email address has been provided, then correspondence will be sent to your postal address. Note that the posting of paper confirmations will attract a fee.

BBY may from time to time appoint an agent (such as Saxo Bank A/S with respect to transactions effected on certain online trading systems) to provide the confirmation and the confirmation may be a joint confirmation covering the services of BBY and of the agent for the same transaction.

Any payment of funds from your account to a third party will only be made on, or in accordance with, written instructions from you.

### 12. WILL ANYONE BE PAID FOR REFERRING YOU TO US?

Where you have been referred to us by a third party (such as an Intermediary, financial planning group or accountant), we may pay an introductory fee or commission rebate in relation to the referral. All introductory fees or commission rebates are negotiated with the relevant Intermediary or other third party on a case by case basis and may be up to 75% of our charges.

Please refer to the FSG or SOA provided by the relevant Intermediary or other third party for more detailed information on payments (if any) payable.

### 13. TRUST ACCOUNTS

Where we are required to hold money for you in our trust account, we will retain any interest that is paid on that amount.

### 14. PERSONAL INFORMATION AND PRIVACY

BBY maintains records of personal information that you have provided to your Adviser or that your Adviser provides to us, for example, as recorded in your account opening forms or financial product application forms.

We handle personal information in accordance with the Privacy Act 1988 (Cth) and BBY's Privacy Policy which can be accessed via our website [www.bby.com.au](http://www.bby.com.au).

### 15. WHAT CAN YOU DO IF YOU HAVE A COMPLAINT?

If you have a complaint about the service provided to you by BBY or any of its representatives, you should take the following steps.

- Contact your Adviser and tell them about your complaint.
- If your complaint is not satisfactorily resolved within 3 business days, please put your complaint in writing and send it to us at the following address:

Attention: Complaints Officer  
BBY Limited  
Level 17, 60 Margaret Street  
SYDNEY NSW 2000

T +61 2 9226 0000

We will try to resolve your complaint quickly and fairly.

- If you still do not get a satisfactory outcome, depending on the nature of your complaint, you have the right to complain to:

Financial Ombudsman Service  
GPO Box 3  
Melbourne VIC 3001  
Telephone: 1300 78 08 08  
Email: [info@fos.org.au](mailto:info@fos.org.au)

ASIC also has a free call Infoline on 1300 300 630 which you may use to make a complaint and obtain information about your rights.

### 16. WHAT COMPENSATION ARRANGEMENTS DO WE HAVE?

BBY has in place Professional Indemnity (PI) Insurance in accordance with section 912B of the Corporations Act and section D of ASIC Regulatory Guide 126. Our PI Insurance covers claims in relation to the conduct of our representatives/employees who no longer work for BBY (but who did at the time of the relevant conduct).

As BBY is a Trading Participant of ASX, you may make a claim on the National Guarantee Fund (NGF) in the circumstances specified under part 7.5 of the

Corporations Act and the Corporations Regulations. (For more information on the circumstances in which you may make a claim on the NGF or for information on the NGF generally, contact the Securities Exchange Guarantee Corporation Pty Limited ABN 19 008 626 793.) Chi-X and APX operate differently to ASX in terms of compensation funds that provide protection for retail investors in the circumstances defined in the Corporations Act and Regulations. The Chi-X compensation fund and the APX compensation fund covers losses resulting from defalcation or fraudulent misuse of your money, property or authority by a Chi-X or APX (as applicable) participant, subject to certain exceptions. The instructions you give BBY in relation to trading on your behalf will determine which compensation arrangements will apply to you in each case.

### 17. CONTACTING US

If you would like clarification of any of the matters discussed in this FSG, or require further information, including a copy of our internal complaint policy, please contact your Adviser. Alternatively, you may contact us in your nearest location.

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