



Authority to carry on banking business

Banking Act 1959

I, Wayne Stephen Byres, a delegate of APRA, under subsection 9(3) of the *Banking Act 1959* (the Act), GRANT HBOS Treasury Services plc ARBN 111 084 434 (the ADI), authority to carry on banking business in Australia.

Under paragraph 9(4)(a) of the Act, I IMPOSE on this Authority the conditions set out in the attached Schedule.

This Authority commences on the date it is signed.

Dated

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Wayne Stephen Byres
Executive General Manager
Diversified Institutions Division

Interpretation

In this Notice

APRA means the Australian Prudential Regulation Authority.

ADI is short for authorised deposit-taking institution and has the meaning given in subsection 5(1) of the Act.

banking business has the meaning given in subsection 5(1) of the Act.

Note 1 Under subsection 9(4) of the Act, APRA may at any time, by notice in writing served on an ADI, impose conditions or additional conditions or vary or revoke conditions imposed on its Authority to carry on banking business. The conditions must relate to prudential matters.

Note 2 Under subsection 9(6) of the Act, an ADI is guilty of an offence if it does or fails to do an act and doing or failing to do that act results in a contravention of a condition of the ADI's Authority, and there is no order in force under section 11 of the Act determining that subsection 9(6) does not apply to the ADI. The maximum penalty is 200 penalty units or, by virtue of subsection 4B(3) of the *Crimes Act 1914* in the case of a body corporate, a penalty not exceeding 1,000 penalty units. By virtue of subsection 9(6A) of the Act, an offence against subsection 9(6) is an indictable offence.

Under subsection 9(6B) of the Act, if an ADI commits an offence against subsection 9(6), the ADI is guilty of an offence against that subsection in respect of the first day on which the offence is committed and each subsequent day (if any) on which the circumstances that gave rise to the ADI committing the offence continue (including the day of conviction for any such offence or any later day).

Note 3 The circumstances in which APRA may revoke an ADI's Authority are set out in section 9A of the Act.

Note 4 Under subsection 9(3) of the Act, a copy of this Notice must be provided to the ADI. Under subsection 9(7) of the Act, APRA must publish a copy of this Notice in the *Gazette* and may cause notice of the grant of the Authority to be published in any other way it considers appropriate.

Schedule - the conditions imposed on the Authority

1. The ADI, as a foreign ADI carrying on banking business in Australia, shall not accept deposits or other funds for amounts which are less than \$250,000 from any source other than from:
 - (i) incorporated entities;
 - (ii) persons or unincorporated entities that are not residents of Australia;
 - (iii) its own employees; or
 - (iv) persons or non-incorporated entities with an initial balance with the foreign ADI of at least \$250,000.

2. The ADI shall engage solely in the provision of treasury services through the following activities:
 - (i) Managing the wholesale multi-currency funding requirements of the HBOS Australia Group.
 - (ii) Arranging the HBOS Australia Group's debt capital issuance and asset securitisation programmes.
 - (iii) Managing the HBOS Australia Group's prudential and regulatory liquidity requirements.
 - (iv) Providing a range of treasury services and products to the HBOS Australia Group and its customers, financial institutions, sovereign governments, and supranational entities.

In this Schedule

foreign ADI has the meaning given in subsection 5(1) of the Act.

HBOS Australia Group means HBOS Australia Pty Ltd ABN 50 070 002 587 and its subsidiaries within the meaning of section 46 of the Corporations Act 2001 and Western Lenders Mortgage Insurance Company Limited ABN 59 076 296 814.