



Thursday, 30 March 2006

Rusina Mining NL - Variation of interim order

Further to the application made on 14 March 2006 by Rusina Mining NL (**Rusina**) (see [TP06/26](#)) and the interim orders made on 16 March 2006, the Panel advises that it has made a variation to the interim orders (see [TP06/27](#)) following an undertaking by New Frontier Investment Limited (**New Frontier**) to buy in an equivalent number of Rusina shares to replace shares which the Panel allowed to be used to settle the outstanding transactions.

The variation to the interim orders allow for New Frontier to transfer 922,019 Rusina shares it sold on market on 16 March 2006 (the **16 March shares**) and allow Rusina to register the transfer of the 16 March Shares. The variation followed a request by New Frontier and concerns expressed by Australian Stock Exchange Limited that the transactions were unable to settle because of the interim orders. New Frontier provided an undertaking to the Panel to buy in 922,019 Rusina shares to replace the 16 March Shares.

Following the variation to the interim orders New Frontier successfully acquired a further 922,019 Rusina shares and the variation to the interim orders restricts the transfer of those shares and the exercise of voting or other rights attached to those shares.

In all other respects the interim orders made on 16 March 2006 are not varied and remain in force.

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**Corporations Act
Section 657E
Variation of Interim Order**

In the matter of Rusina Mining NL

Upon

- A. The Panel making an interim order dated 16 March (**interim order**) to the following effect:
- (i) restraining New Frontier Investment Limited (**New Frontier**) from disposing of any shares or interests in shares in Rusina that it had at 16 March 2006 and from exercising any voting or other rights attached to those shares;
 - (ii) requiring New Frontier to give written notice of that order to any person whom it knew to be entitled to exercise a right to vote attached to those shares; and
 - (iii) prohibiting Rusina from registering any purported transfer or transmission of shares registered in the name of New Frontier at the date of that order and requiring Rusina to disregard any voting or other rights attached to shares registered in the name of New Frontier at the date of that order;
- B. New Frontier selling 922,019 Rusina shares on 16 March 2006 (**16 March Shares**);
- C. Australian Stock Exchange Limited advising that the transactions are unable to settle because of the interim order;
- D. A request by New Frontier to vary or substitute the interim order and undertaking to replace the 16 March Shares;

Under section 657E of the Corporations Act, the Panel orders:

1. Rusina Mining NL (**Rusina**):
- (a) to allow the registration of the transfer of the 16 March Shares;
 - (b) otherwise to comply with the terms of the interim order; and
 - (c) in respect of up to 922,019 shares acquired or to be acquired by New Frontier since the date of the interim order –
 - (i) once registered to New Frontier, not to register any purported transfer or transmission from New Frontier; and
 - (ii) to disregard any voting or other rights attached to any of the 922,019 shares.

2. New Frontier:
 - (a) to comply with the terms of the interim order except that it may transfer 922,019 shares which it sold on market on 16 March 2006;
 - (b) not to dispose of up to 922,019 further shares or interests in shares in Rusina that it has acquired or will acquire since the date of the interim order; and
 - (c) not to exercise any voting or other rights attached to up to 922,019 further shares or interests in shares in Rusina that it has acquired or will acquire since the date of the interim order.
3. New Frontier to give written notice of these orders to any person whom it knows to be entitled to exercise a right to vote attached to shares affected by these orders.
4. The interim order continues in full force and effect except as varied by these orders.
5. These orders continue in effect until the earliest of:
 - (a) a further order of the Panel;
 - (b) the application being determined; or
 - (c) 15 May 2006.

Dated 23 March 2006

Simon McKeon
President of the Panel