



Australian Government

Takeovers Panel

MEDIA RELEASE

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Bentley Capital Limited 01R – Application for Judicial Review

The Takeovers Panel has been served with a Federal Court application dated 2 August 2011 for judicial review of its decision to accept undertakings in [Bentley Capital Limited 01R](#). The application for judicial review is by Mrs Ambreen Chaudhri/Data Base Systems Limited and is made under section 5 of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) and section 39B(1A) of the *Judiciary Act 1903* (Cth).

In [Bentley Capital Limited 01R](#), the review Panel was minded to declare circumstances unacceptable as it considered that the acquisition of approximately 8% of the shares in Bentley by Data Base in April 2011 resulted in a person's voting power in Bentley increasing otherwise than as permitted by Chapter 6 because:

- Mr Farooq Khan, Mrs Chaudhri and Data Base were associated in relation to the affairs of Bentley and
- Mr Azhar Chaudhri and Mrs Chaudhri were associated in relation to the affairs of Queste Communications Ltd.

However, the parties (i.e. Mr Khan, Mrs Chaudhri and Data Base) offered undertakings to remedy the unacceptable circumstances. The review Panel accepted the undertakings to redress the circumstances. In light of these undertakings, the review Panel declined to make a declaration of unacceptable circumstances in relation to the affairs of Bentley. The application seeks review of the decision by the review Panel to accept the undertaking offered by Mrs Chaudhri.

Bellwether Investments Pty Ltd and Mr Jim Craig, who brought the Panel applications, ASIC and Mr Khan are also named as respondents in the application.

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