

Investa Office Fund (ASX: IOF)

Supreme Court proceedings

Investa Listed Funds Management Limited (“ILFML”) as responsible entity of Investa Office Fund (“IOF”) notes its announcement on 23 March 2016 that it was notified that Post Sale Portfolio Issuer Pty Limited (“PSP”), which is ultimately owned by a partnership managed by Morgan Stanley Real Estate Investing, intended to file proceedings in the Supreme Court of New South Wales against ILFML and the Chairman of the meeting of IOF unitholders to be held on 8 April 2016.

Morgan Stanley lodged a substantial holder notice with the ASX on 7 March 2016 that states PSP is the holder of approximately 8.9% of the units in IOF.

On 24 March 2016 the Court declared, by consent of all parties including ILFML and PSP, based on the facts as disclosed by PSP to the Court (and subject to PSP notifying ILFML promptly of any change to those facts), that:

- ILFML and PSP are not associates for the purposes of section 253E (which provides that responsible entity and associates cannot vote if interested in resolution) of the *Corporations Act 2001* (Cth) (“Corporations Act”); and
- PSP is not precluded from voting by reason of section 253E of the Corporations Act on any resolution put to IOF unitholders in relation to the proposal by DEXUS Property Group to acquire all of the units in IOF.

The Court made no finding on PSP’s ability to vote raised before it other than in relation to the specific section 253E issue which was raised by PSP.

-ENDS-

About Investa Office Fund

Investa Office Fund (ASX code: IOF) is an ASX-listed real estate investment trust (A-REIT) and is included in the S&P/ASX100 index. IOF is a leading owner of investment grade office buildings and receives rental income from a tenant register comprised predominately of Government and blue chip tenants. IOF has total assets under management of AU\$3.49 billion with 22 investments located in core CBD markets throughout Australia. IOF’s focus is on delivering attractive risk-adjusted returns to its unitholders from a portfolio of high quality assets located in the key CBD office markets of Australia.

Fund Enquiries

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