

## ASX Announcement

### **RPX: Resolution of Australian Taxation Office Audit**

23<sup>rd</sup> December 2008

RP Data Ltd (“RP Data” or “RPX”) advises that it has received correspondence from the Australian Taxation Office (“ATO”) confirming that the ATO will take no further action in respect of its audit of certain transactions associated with the restructure of the RP Data group prior to its initial public float in 2000.

As a consequence, RP Data has –

1. increased its Net Profit After Tax by \$890,000 in the half year ending 31 December 2008 through the write-back of the remaining balance of its provision for the ATO Audit of \$1,275,000; and
2. amended the Deeds of Indemnity provided by Macquarie Bank Ltd and InfoCorp Pty Ltd to crystallise the indemnities’ termination date of 28 September 2012 and limit the amount of the indemnity to \$7,593,542 each and released the voluntary escrow agreements and obtained consequential guarantees from the directors of InfoCorp Pty Ltd.

### **Background**

RP Data’s prospectus lodged in November 2006 outlined in detail an ATO Audit in relation to RP Data’s income tax affairs. In March 2006, the ATO raised potential preliminary issues regarding the tax treatment of certain transactions associated with the restructure of the RP Data group prior to its public float in 2000. As at the date of the lodgement of the prospectus the ATO had not finalised its position and the Directors believed that it was not practical to estimate the potential financial effect of any future proceedings. Based on legal advice, the Directors did not expect any material liability to arise and noted that RP Data would strongly defend its position.

As part of the sale of shares in RP Data to First American Real Estate Solutions on 10 August 2006, the existing shareholders, Macquarie Bank Limited (“MBL”) and InfoCorp Pty Ltd (“Info Corp”), provided an indemnity to RP Data which is triggered if the net tax liability (including third party costs) arising from the tax in dispute exceeds \$1.5 million. The indemnity was limited in recourse to 6,903,220 ordinary shares in RP Data held by each of MBL and InfoCorp. These shares have been held in escrow until the dispute with the ATO was resolved. A provision was made in the 2006 RP Data financial statements for the potential estimated impact to RP Data of \$1.5 million. This matter was disclosed in the 30 June 2007 and 30 June 2008 annual reports.

For Further Information:

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