



ASIC

Australian Securities &
Investments Commission

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RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the *Corporations Act 2001* and the other legislation administered by ASIC may have rights of review. ASIC has published Regulatory Guide 57 *Notification of rights of review* (RG57) and Information Sheet *ASIC decisions – your rights* (INFO 9) to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at www.asic.gov.au or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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13-1530

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1)- Exemption and Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 601QA(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 13-1530.

Commencement

3. This instrument commences on 24 December 2013.

Exemption

4. Cromwell Property Securities Limited ACN 079 147 809 (*CDPT RE*) in its capacity as the responsible entity of Cromwell Diversified Property Trust ARSN 102 982 598 (*CDPT*) is exempt from paragraph 601FC(1)(d) of the Act, to the extent that it requires the responsible entity of a registered scheme to treat members who hold interests of the same class equally.

Declaration

5. Chapter 5C of the Act applies to CDPT RE in its capacity as the responsible entity of CDPT as if Part 5C.6 of the Act were modified or varied as follows:
 - (a) omit "601KE" at the end of paragraph 601KA(3)(b) and substitute "601KEA";
 - (b) omit "(this period must last for at least 21 days after the offer is made)" from paragraph 601KB(3)(a); and
 - (c) insert after section 601KE:

"601 KEA Withdrawal in relation to unstapled interests in a scheme

- (1) Where interests in a registered scheme form part of stapled securities, a right of withdrawal for unstapled interests in the registered scheme may be exercised in accordance with the procedures specified in the scheme's constitution.
- (2) The amount that will be paid to a member making a withdrawal must be determined in accordance with the formula specified in the constitution.

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(3) For the purpose of this section:

stapled security means two or more financial products including at least one interest in a registered scheme that under the constitution must be transferred together;

unstapled interest means an interest in the registered scheme which does not form a part of the stapled security."

Where this instrument applies

6. CDPT RE redeems all interests held by CCL in CDPT that are not component parts of the Stapled Securities (*relevant withdrawal*), without offering a right of withdrawal to any other holder of interests in CDPT; and
7. CCL has consented to the relevant withdrawal; and
8. All the shares in CCL are component parts of the Stapled Securities; and
9. All interests in CDPT are component parts of the Stapled Securities other than the interests that are the subject of the relevant withdrawal; and
10. CDPT RE has the power to make the relevant withdrawal under CDPT's constitution; and
11. CCL does not have any liability to CDPT RE as the responsible entity of CDPT as a result of holding the interests the subject of the relevant withdrawal and the holding of those interests would not give rise to any such liability in the future if the interests were not the subject of the relevant withdrawal.

Interpretation

12. In this instrument:

CCL means Cromwell Corporation Limited ACN 001 056 980

Stapled Securities means a fully paid interest in CDPT stapled to a fully paid ordinary share in CCL which must, on the terms on which they are traded, only be transferred together.

Dated this 24th day of December 2013



Signed by Anne Phelan

as a delegate of the Australian Securities and Investments Commission

14-1681

Australian Securities and Investments Commission
Corporations Act 2001 – 1020F(1)(a) Exemption

Enabling Legislation

1. The Australian Securities and Investments Commission ('ASIC') makes this instrument under Paragraph 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC instrument 14-1681.

Commencement

3. This instrument commences on 10 January 2014.

Exemption

4. Merrill Lynch (Australia) Futures Limited ACN 003 639 674 ('MLAF') does not have to comply with subsection 1020B(2) of the Act in relation to a sale of a security (the *shorted product*) by MLAF where all of the following apply:
 - a. MLI makes a market for a financial product;
 - b. MLI issues, acquires or disposes of a financial product (the *hedged product*) in the course of making that market (the *primary transaction*);
 - c. MLI and MLAF enter into a corresponding transaction (the *back-to-back transaction*) under the terms of the ISDA Master Agreement between MLI and MLAF dated 31 December 1996, as amended from time to time, or any other agreement between MLI and MLAF in a form provided to ASIC under condition 5E to which ASIC has not objected within 28 days;
 - d. the back-to-back-transaction is a bona fide transaction to manage, avoid or limit the financial consequences to MLI of the primary transaction;
 - e. the sale of the shorted product is a bona fide transaction to manage, avoid or limit the financial consequences to MLAF of the back-to-back transaction;

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- f. at the time of the sale of the shorted product, the shorted product is a constituent of the index known as the S&P/ASX 300;

Note: This index is compiled and calculated by Standard and Poor's, a division of The McGraw-Hill Companies, Inc. Its constituents are subject to change from time to time. Details of the current constituents may be found via <http://www.standardandpoors.com.au/>.

- g. at the time of the sale of the shorted product, MLAF believes on reasonable grounds that a securities lending arrangement can be put in place, before the time for delivery of the shorted product, so that a financial product equivalent to the shorted product can be unconditionally vested in the purchaser of the shorted product by the time for delivery; and
- h. MLI holds an Australian financial services license that covers making a market in the hedged product or is exempt from the requirement to hold such a license for providing that financial service.

Conditions of the relief

Securities lending arrangement

5. When relying on the exemption in paragraph 4, MLAF must:

- a. by the end of the day (*sale day*) on which MLAF makes the sale of the shorted product:
- i. have acquired a financial product equivalent to the shorted product; or
 - ii. have entered into a contract to acquire a financial product equivalent to the shorted product where MLAF has a right to have that financial product vested in MLAF that is conditional only upon all or any of the following:
 - A. payment of the consideration in respect of the acquisition;
 - B. the receipt by MLAF of a proper instrument of transfer in respect of the product;
 - C. the receipt by MLAF of the documents that are, or are documents of title to, the product; or
 - iii. have entered into a securities lending arrangement in relation to a financial product equivalent to the shorted product,
so that the shorted product or an equivalent product can be unconditionally vested in the purchaser of the shorted product by the time for delivery; and
- b. if paragraph (a) has not been satisfied, notify ASIC in writing by 9.00 am on the business day after the sale that paragraph (a) has not been satisfied.

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Positional reporting

- 5A. Subject to paragraph 5D, when relying on the exemption in paragraph 4, MLAF must give to ASIC in the form required by ASIC, particulars of MLAF's short position in relation to the shorted product as at 7.00 pm, three reporting days before the day the particulars must be given under paragraph 5B.
- 5B. MLAF must give the particulars about the short position:
- a. on or before 9.00 am on the third reporting day after entering into the agreement to sell that causes the short position to occur; and
 - b. on or before 9.00 am on each subsequent reporting day as long as MLAF has a short position.
- 5C. Subparagraph 5B(b) applies whether or not the particulars about the short position have changed from that given on the previous day.
- 5D. If MLAF:
- a. is required by subsection 1020AB(3) of the Act to give particulars of MLAF's short position on a day in relation to a security or product that is in the same class as the shorted product; or
 - b. has a short position in relation to the shorted product on a day that does not exceed the value limit and the volume limit on the day,
- then MLAF does not have to comply with paragraph 5A in relation to the short position.

Other conditions

- 5E. MLAF must notify ASIC, within 14 business days, of any of the following occurrences:
- a. any material change to the terms of the ISDA Master Agreement referred to in paragraph 4(c);
 - b. the entry into any other agreement to replace the ISDA Master Agreement referred to in paragraph 4(c);
 - c. the replacement of MLI with a successor entity.
- 5F. MLAF must provide written notice to ASIC within 28 days from the date upon which MLAF becomes aware that MLI has ceased to conduct the business described in paragraph 4, being the conduct for which this waiver is requested.

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Interpretation

6. In this instrument:

makes a market has the meaning given by section 766D of the Act.

MLI means Merrill Lynch International ARBN 125 336 567 or any successor entity notified to ASIC under paragraph 5E to which ASIC has not objected within 28 days.

reporting day has the meaning given by subregulation 7.9.99(1) of the *Corporations Regulations 2001*.

securities lending arrangement means an arrangement under which:

- a. one entity (the **lender**) agrees that it will:
 - i. deliver particular securities, or other financial products to another entity (the **borrower**) or to an entity nominated by the borrower; and
 - ii. vest title in those products in the entity to which they are delivered; and
- b. the borrower agrees that it will, after the lender does the things mentioned in paragraph (a):
 - i. deliver the products (or equivalent products) to the lender or to an entity nominated by the lender; and
 - ii. vest title in those products (or those equivalent products) in the entity to which they are delivered.

short position has the meaning given by subregulation 7.9.99(2) of the *Corporations Regulations 2001*.

7. In paragraph 5D:

- a. the **value limit** in relation to a person for a security or managed investment product that is able to be traded on a financial market is not exceeded on a day if:

$A \times B$

does not exceed \$100,000 where:

A = the person's short position in relation to the security or product as at 7.00 pm on the day.

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B = either:

- i. the last sale price for the security or product on the financial market on the day (or, if there is no such price on that day, the last sale price on the financial market); or
 - ii. the price determined and published by the operator of the market after the close of trading for the day as the value of the security or product on the day.
- b. the *volume limit* in relation to a person for a security or managed investment product that is able to be traded on a financial market is not exceeded on a day if:

$$\frac{A}{B} \times 100$$

does not exceed 0.01 where:

A = the person's short position in relation to the security or product as at 7.00 pm on the day.

B = the total quantity of securities or products in the same class of securities or products on the day.

Dated this 10th day of January 2014



Signed by Nicole Pyner, as a delegate of the Australian Securities and Investments Commission



14-1682

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Justezi Pty Ltd
ACN: 141 828 775 ("the Licensee")
28 Beresford Road
Rose Bay NSW 2029

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 388511 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 9th January, 2014.

Signed

A handwritten signature in black ink, appearing to read 'George Podaras', written over a dotted line.

George Podaras, a delegate of the Australian Securities and Investments Commission



14-1683

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Perfect Style Pty Ltd
ACN: 128 148 934 ("the Licensee")
c/- 'Letizia Palmer', Suite 3, Level 1
43 Ventnor Avenue
West Perth WA 6005

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 327291 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 9 January, 2014.

Signed

A handwritten signature in black ink, appearing to read 'George Podaras', written over a dotted line.

George Podaras, a delegate of the Australian Securities and Investments Commission



14-1684

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Lotus Star Pty Ltd
ACN: 137 429 326 ("the Licensee")
14 Townview Avenue
Wantirna South VIC 3152

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 340681 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 9 January, 2014.

Signed 

George Podaras, a delegate of the Australian Securities and Investments Commission



14-1685

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Frontera Asset Management Pty Ltd
ACN: 122 238 368 ("the Licensee")
12 Leichhardt Street
Bronte NSW 2024

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 311171 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 9th January, 2014.

Signed

A stylized signature of George Podaras, consisting of a series of overlapping loops and a long horizontal stroke.

George Podaras, a delegate of the Australian Securities and Investments Commission

14-1686

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 655A(1)(b) – Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 655A(1)(b) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Instrument 14-1686.

Commencement

3. This instrument commences on 9 January 2014.

Declaration

4. Section 650B of the Act applies to Eldorado Gold Cooperatief UA (Commercial Register No. 53699351) (the *Bidder*) as if:

(a) section 650B were modified or varied by inserting after subsection 650B(4) the following subsection:

"(5) The bidder may vary the offers made under the bid by reducing the period by which the bidder is to pay or provide the consideration for the offers."

Where this instrument applies

5. The declaration in paragraph 4 applies where:
 - (a) the Bidder has made an off-market takeover bid for all the ordinary shares in Glory Resources Limited ACN 142 870 102 (the *Target*) which the Bidder does not own in respect of which a bidder's statement was lodged with ASIC on 22 November 2013; and
 - (b) the Bidder has, on or before 13 January 2014, lodged with ASIC a notice under section 650D of the Act which includes a statement outlining the need for, and effect of, this instrument.

Dated this 9th day of January 2014



Signed by Peter Knight
as a delegate of the Australian Securities and Investments Commission

14-1687

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 741(1)(a) – Exemption**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 741(1)(a) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 14-1687.

Commencement

3. This instrument commences on 15 January 2014.

Exemption

4. DUEC Company Limited ACN 163 100 061 (*DUECo*) does not have to comply with Part 6D.2 or 6D.3 of the Act (other than sections 736 and 738) for an offer of shares for issue under a purchase plan.

Where this instrument applies

5. This instrument applies in respect of offers of shares in DUECo for issue under purchase plans where:
 - (a) DUECo meets the requirements and conditions of ASIC Class Order [CO 09/425] (the *Class Order*) except for sub-paragraph 7(f)(ii)(C); and
 - (b) DUECo would meet the requirements in sub-paragraph 7(f)(ii) of the Class Order if that sub-paragraph were to read:

“(ii) within the 24 hour period before the offer, given a notice to ASX that:

 - (A) states that the issuer will make offers to issue shares under a purchase plan without disclosure to investors under Part 6D.2; and
 - (B) states that the notice is given in accordance with ASIC Instrument 14-1687; and
 - (C) states that, as at the date of the notice, the issuer has complied with the provisions of Chapter 2M of the Act (other than section 327A(1)) as they apply to the issuer and section 674 of the Act; and
 - (D) sets out any information that is excluded information as at the date of the notice (in accordance with the requirements of subsections 708A(7)

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and (8) of the Act as if the notice were a notice under paragraph 708A(5)(e) of the Act.”

Interpretation

6. In this instrument:

purchase plan has the same meaning as in the Class Order.

Dated this 15th day of January 2014



Signed by Melissa Liu
as a delegate of the Australian Securities and Investments Commission



14-1689

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Drapac Investment Pty. Ltd.
ACN: 102 574 498 ("the Licensee")
30-32 Courtney Street
North Melbourne VIC 3051

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 244262 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 10th January, 2014.

Signed 

George Podaras, a delegate of the Australian Securities and Investments Commission



14-1690

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: FSP Funds Management Limited
ACN: 102 944 598 ("the Licensee")
Level 14, 347 Kent Street
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 227316 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 10th January, 2014.

Signed

A handwritten signature in black ink, appearing to read 'George Podaras', written over a dotted line.

George Podaras, a delegate of the Australian Securities and Investments Commission

14-1693

Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) –
Exemptions

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Instrument [14-1693].

Commencement

3. This instrument commences on gazettal.

Exemptions

4. The issuer does not have to comply with Part 7.9 of the Act where the issuer:
 - (a) makes an eligible incentive plan offer;
 - (b) offers to arrange for the issue of financial products under an eligible incentive plan offer; or
 - (c) issues a financial product under an eligible incentive plan offer;on the conditions set out in this instrument and for so long as the conditions are met.
5. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
 - (a) a financial service consisting of general advice reasonably given in connection with the eligible incentive plan offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement to the effect that any advice given by the issuer in connection with the offer is general advice only, and that employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice;
 - (b) a custodial or depositary service in connection with an eligible incentive plan offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;

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- (c) dealing in a financial product in the course of providing a custodial or depositary service covered by paragraph (b);
 - (d) issuing a financial product under an eligible incentive plan offer covered by paragraph 4 of this instrument; and
 - (e) dealing in a financial product in connection with an eligible incentive plan offer where any acquisition by purchase or disposal of the product by the issuer occurs either:
 - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
 - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
6. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer also does not have to comply with section 992A of the Act in relation to an eligible incentive plan offer made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with the offer.
7. ASIC exempts a financial product that is the subject of an eligible incentive plan offer from Part 7.9 of the Act where:
- (a) a recommendation is made by a person (other than the issuer) that a person to whom an eligible incentive plan offer has been made, acquire the financial product as a retail client; and
 - (b) the person who made the recommendation is not aware, and ought not reasonably to be aware, that any of the conditions set out in this instrument have not been met;
- but only in relation to the recommendation by the person.

Where this instrument applies

8. This instrument applies where the issuer:
- (a) meets the requirements (including, for the avoidance of doubt, definitions) of the class order, except the definitions of:
 - (i) “eligible offer” in paragraph 9 of the Interpretation; and
 - (ii) “issuer” in paragraph 12 of the Interpretation; and
 - (b) would meet the requirements of the class order if:
 - (i) the definition of an “eligible offer” in paragraph 9 of the Interpretation were to read:

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“9. “eligible offer” means an offer for issue or sale of performance rights in relation to fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by the New York Stock Exchange throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period made under an employee share scheme extended only to eligible employees of the issuer;” and

- (ii) in the Interpretation, the following definition were inserted:

“9A. “employee share scheme”, for a body corporate, means a scheme under which shares (or units of shares or options to acquire unissued shares or performance rights) in the body or a related body corporate may be acquired:

- (a) by, or for the benefit of:

- (i) employees of the body, or of the related body corporate; or
- (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate; or

- (b) by a corporation all of whose members are:

- (i) employees of the body, or of a related body corporate; or
- (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate;” and

- (iii) in the definition of an “offer document” in paragraph 15 of the Interpretation, subparagraphs (c) and (d) were to read:

“(c) specifies in respect of the performance rights or the shares to which the performance rights relate:

- (i) the acquisition price in Australian dollars;
- (ii) where the acquisition price is specified in a foreign currency, the Australian dollar equivalent of that price at the date of the eligible offer; or
- (iii) where the acquisition price is to be worked out in the future under a formula, the Australian dollar or Australian dollar equivalent of that price were the formula applied at the date of the eligible offer; and

- (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which

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an eligible employee may acquire the shares, within a reasonable period of the employee requesting, make available to the employee:

- (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of the shares to which the performance rights relate; and
- (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date.”; and
- (iv) in the Interpretation, the following definition were inserted:

“16A. “performance right” means a conditional right to be issued a fully-paid ordinary share in the capital of the issuer where the performance right is offered for no more than nominal monetary consideration;”.

Conditions

9. The issuer can only rely on the exemptions in this instrument if the issuer complies with the following conditions:

- (a) the conditions of the class order (excluding the condition specified in paragraph 3 of the Schedule to the class order) as expressed to apply to them; and
- (b) the issuer must take reasonable steps to ensure that the number of shares that may be issued in connection with any eligible incentive plan offer, when aggregated with:
 - (i) the number of shares in the same class which would be issued were every other outstanding offer with respect to shares, units of shares, options to acquire unissued shares and performance rights under every other employee share schemes of the issuer to vest or to be accepted or exercised;
 - (ii) the number of shares in the same class issued during the previous 5 years pursuant to:
 - (A) an eligible incentive plan offer extended only to eligible employees; and
 - (B) any other employee share scheme extended only to eligible employees of the issuer;

but disregarding any offer made, option or right acquired or share issued by way of or as a result of:

- (iii) an offer to a person situated at the time of receipt of the offer outside this jurisdiction; or
- (iv) an offer that did not need disclosure to investors because of section 708 of the Act; or

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- (v) an offer that did not require the giving of a Product Disclosure Statement because of section 1012D of the Act; or
- (vi) an offer made under a disclosure document or Product Disclosure Statement, must not exceed 5% of the total number of issued shares in that class of the issuer as at the time of the offer.

Interpretation

10. In this instrument:

- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;
- (b) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the *Legislative Instruments Act 2003*;
- (c) *eligible incentive plan offer* means an offer for the issue or sale of performance rights, made under an arrangement known as the Imperva Inc 2011 Stock Option and Incentive Plan (under which the performance rights are referred to as restricted stock units), the Australian Offer Document and Award Agreement (Restricted Stock Units), the terms of which are substantially in the same form as those provided to ASIC on 23 December 2013; and
- (d) *issuer* means Imperva Inc, a company incorporated under laws of the State of Delaware, United States of America and any related body corporate.

Dated this 10th day of January 2014



Signed by Yu-chin Hsu
as a delegate of the Australian Securities and Investments Commission

14-1694

Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and
1020F(1)(b) – Exemptions

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Instrument 14-1694.

Commencement

3. This instrument commences on gazettal.

Exemptions

4. The issuer does not have to comply with Part 7.9 of the Act where the issuer:
 - (a) makes an eligible incentive plan offer;
 - (b) offers to arrange for the issue of financial products under an eligible incentive plan offer; or
 - (c) issues a financial product under an eligible incentive plan offer;on the conditions set out in this instrument and for so long as the conditions are met.
5. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
 - (a) a financial service consisting of general advice reasonably given in connection with the eligible incentive plan offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement to the effect that any advice given by the issuer in connection with the offer is general advice only, and that employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice;
 - (b) a custodial or depositary service in connection with an eligible incentive plan offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;

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- (c) dealing in a financial product in the course of providing a custodial or depositary service covered by paragraph (b);
 - (d) issuing a financial product under an eligible incentive plan offer covered by paragraph 4 of this instrument; and
 - (e) dealing in a financial product in connection with an eligible incentive plan offer where any acquisition by purchase or disposal of the product by the issuer occurs either:
 - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
 - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
6. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer also does not have to comply with section 992A of the Act in relation to an eligible incentive plan offer made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with the offer.
7. ASIC exempts a financial product that is the subject of an eligible incentive plan offer from Part 7.9 of the Act where:
- (a) a recommendation is made by a person (other than the issuer) that a person to whom an eligible incentive plan offer has been made, acquire the financial product as a retail client; and
 - (b) the person who made the recommendation is not aware, and ought not reasonably to be aware, that any of the conditions set out in this instrument have not been met;
- but only in relation to the recommendation by the person.

Where this instrument applies

8. This instrument applies where the issuer:
- (a) meets the requirements (including, for the avoidance of doubt, definitions) of the class order, except the definitions of:
 - (i) “eligible offer” in paragraph 9 of the Interpretation; and
 - (ii) “issuer” in paragraph 12 of the Interpretation; and
 - (iii) “offer document” in paragraph 15 of the Interpretation; and

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- (b) would meet the requirements of the class order if:
- (i) the definition of an “eligible offer” in paragraph 9 of the Interpretation was to read:

“9. “eligible offer” means an offer for issue or sale of performance rights in relation to fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by the NASDAQ Global Select Market throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period made under an employee share scheme extended only to eligible employees of the issuer;” and
 - (ii) in the Interpretation, the following definition was inserted:

“9A. “employee share scheme”, for a body corporate, means a scheme under which shares (or units of shares or options to acquire unissued shares or performance rights) in the body or a related body corporate may be acquired:

 - (a) by, or for the benefit of:
 - (i) employees of the body, or of the related body corporate; or
 - (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate; or
 - (b) by a corporation all of whose members are:
 - (i) employees of the body, or of a related body corporate; or
 - (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate;” and
 - (iii) in the definition of an “offer document” in paragraph 15 of the Interpretation, subparagraphs (c) and (d) were to read:

“(c) specifies in respect of the performance rights or the shares to which the performance rights relate:

 - (i) the conditions which must be satisfied before an eligible employee who has selected to participate in the employee shares scheme will be issued shares;

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- (ii) how the number of shares in subparagraph (c)(i) will be determined; and
 - (iii) that the rights will be offered and issued for no monetary consideration; and
 - (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which an eligible employee may acquire the shares, within a reasonable period of the employee requesting, make available to the employee:
 - (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of the shares to which the performance rights relate;"; and
 - (iv) in the Interpretation, the following definition was inserted:
 - "16A. "performance right" means a conditional right:
 - (a) to be issued a fully-paid ordinary share in the capital of the issuer; and
 - (b) subject to the terms of the relevant offer, to receive a cash amount equivalent to the value of any dividend paid on a fully-paid ordinary share in the capital of the issuer, less any tax or other payment that the issuer is required by law to withhold;
- where the performance right is offered for no monetary consideration;".

Conditions

9. The issuer can only rely on the exemptions in this instrument if the issuer complies with the following conditions:
- (a) the conditions of the class order (excluding the condition specified in paragraph 3 of the Schedule to the class order) as expressed to apply to them; and
 - (b) the issuer must take reasonable steps to ensure that the number of shares that may be issued in connection with any eligible incentive plan offer, when aggregated with:
 - (i) the number of shares in the same class which would be issued were every other outstanding offer with respect to shares, units of shares, options to acquire unissued shares and performance rights under every other employee share scheme of the issuer to vest or to be accepted or exercised;

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- (ii) the number of shares in the same class issued during the previous 5 years pursuant to:
 - (A) an eligible incentive plan offer extended only to eligible employees; and
 - (B) any other employee share scheme extended only to eligible employees of the issuer;

but disregarding any offer made, option or right acquired or share issued by way of or as a result of:

- (iii) an offer to a person situated at the time of receipt of the offer outside this jurisdiction; or
- (iv) an offer that did not need disclosure to investors because of section 708 of the Act; or
- (v) an offer that did not require the giving of a Product Disclosure Statement because of section 1012D of the Act; or
- (vi) an offer made under a disclosure document or Product Disclosure Statement,

must not exceed 5% of the total number of issued shares in that class of the issuer as at the time of the offer.

Interpretation

10. In this instrument:

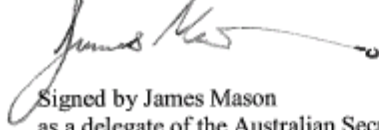
- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;
- (b) *Australian Supplement* means the RSU Award Agreement (including any appendices thereto), the Performance-Based Restricted Stock Unit Award Agreement (including any appendices thereto), the Australian Addendum, the Australian offer document applicable to restricted stock units and the Australian offer document applicable to performance-based restricted stock units;
- (c) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the Legislative Instruments Act 2003;
- (d) *eligible incentive plan offer* means an offer for the issue or sale of performance rights in relation to shares in the issuer, made under an arrangement known as the Symantec

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Corporation 2013 Equity Incentive Plan (under which the performance rights are referred to as restricted stock units or performance-based restricted stock units) and the Australian Supplement, the terms of which are substantially in the same form as those provided to ASIC on 27 November 2013; and

- (e) *issuer* means Symantec Corporation, a foreign company incorporated under the laws of the State of Delaware, United States of America, and any related body corporate.

Dated this 14th day of January 2014



Signed by James Mason

as a delegate of the Australian Securities and Investments Commission



14-1696

ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Pareto Capital Pty Ltd
ACN: 131 858 681("the Licensee")
Suite 13 Level 3
166 Brighton Road
Scarborough WA 6019

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 389395 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 14th day of January 2014

Signed

A handwritten signature in black ink, appearing to read 'George Podaras', written over a horizontal dotted line.

George Podaras, a delegate of the Australian Securities and Investments Commission



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ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: ACN 092 738 997 Pty Ltd
ACN: 092 738 997 ("the Licensee")
Level 1, 61 Lavender Street
Milsons Point NSW 2061

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 244235 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 14th January, 2014.

Signed


George Podaras, a delegate of the Australian Securities and Investments Commission



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ASIC

Australian Securities & Investments Commission

**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: NEWGWA Pty Ltd
ACN: 010 096 376 ("the Licensee")
Level 19, 'Brisbane Club Tower'
241 Adelaide Street
Brisbane QLD 4000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 253113 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 14th January, 2014.

Signed

A handwritten signature in black ink, appearing to read 'George Podaras', written over a dotted line.

George Podaras, a delegate of the Australian Securities and Investments Commission

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Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 111AT(1) - Order

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 111AT(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 14-1699.

Commencement

3. This instrument commences on the day it is signed.

Exemption

4. ASIC exempts Forest Enterprises Australia Limited (subject to deed of company arrangement) (receivers and managers appointed) ACN 009 553 548 (the *company*) from the disclosing entity provisions in Part 2M.3 of the Act for the full financial years ending 30 June 2010, 30 June 2011, 30 June 2012 and 30 June 2013 and half-years ending 31 December 2009, 31 December 2010, 31 December 2011, 31 December 2012 and 31 December 2013 (the *relevant financial years and half years*).
5. This exemption ceases to apply at the end of 15 July 2014 unless the reports for the company for the relevant financial years and half years have been prepared in compliance with Part 2M.3 of the Act and lodged with ASIC.

Conditions

6. The receivers and managers must maintain arrangements for answering, free of charge, reasonable enquiries from the company's members about the consequences of the external administration of the company.
7. Within 2 business days of the commencement of this instrument or of any subsequent instrument that amends this instrument, the receivers and managers must make this instrument available on a website maintained in relation to the company, in a way that is readily accessible by the public from the website.

Interpretation:

In this instrument:

disclosing entity provisions has the meaning given by section 111AR of the Act.

receivers and managers has the meaning given in section 9 of the Act.

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receivers and managers refers to Timothy Bryce Norman and Salvatore Algeri of Deloitte Touche Tohmatsu appointed as receivers and managers on 14 April 2010.

deed administrators has the meaning given in paragraph (b) of the definition of *administrator* in section 9 of the Act.

deed of company arrangement refers to the deed of company arrangement, as amended from time to time, appointing Peter Paul Krejci and Brian Raymond Silvia of BRI Ferrier (NSW) Pty Ltd ACN 128 947 848 as deed administrators.

Dated: 14 January 2014



Signed by Junghee Ryu
as a delegate of the Australian Securities and Investments

CORPORATIONS ACT 2001

Section 601CL(5)

ASIC has struck the foreign companies listed below off the register.

Dated this seventeenth day of January 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

ASTRO DIGITAL 5 SDN. BHD.

141 864 128

HAVILA OFFSHORE AS

132 448 910

SCORE ENERGY LIMITED

149 870 860

CORPORATIONS ACT 2001

Section 601CL(4)

ASIC will strike the foreign companies listed below off the register three months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this seventeenth day of January 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

CABLE NEWS INTERNATIONAL, INC.	097 087 851
CREDIT SUISSE PREMIER MANAGERS III INSTALMENT NOTE LIMITED	156 396 342
FINSBURY ORTHOPAEDICS INTERNATIONAL LIMITED	112 770 822
MISYS LIMITED	077 034 747
OLD MUTUAL ASSET MANAGERS (UK) LIMITED	146 344 201
OSIRIS THERAPEUTICS, INC.	151 579 636
SASSY HOLDINGS, LLC	129 076 839
SECURITIES FINANCE TRUST COMPANY	134 096 147

CORPORATIONS ACT 2001

Subsection 601PB(2)

ASIC may deregister the managed investment schemes listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this seventeenth day of January 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARSN

MOSAIC AUSTRALIAN SHARES FUND

110 619 504

CORPORATIONS ACT 2001

Subsection 601PA(3)

ASIC may deregister the managed investment scheme(s) listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this seventeenth day of January 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARSN

RFM AUSTRALIAN WINE FUND

099 573 485

RFM CHICKEN INCOME FUND

105 754 461

Corporations Act 2001
Subsection 164(3)

Notice is hereby given that ASIC will alter the registration details of the following companies 1 month after the publication of this notice, unless an order by a court or Administrative Appeals Tribunal prevents it from doing so.

AVOCA RESOURCES LTD ACN 097 083 282 will change to a proprietary company limited by shares. The new name will be **AVOCA RESOURCES PTY LTD** ACN 097 083 282.

IRON SANDS INTERNATIONAL LIMITED ACN 154 505 558 will change to a proprietary company limited by shares. The new name will be **IRON SANDS INTERNATIONAL PTY LTD** ACN 154 505 558.

SYNERGY (RAILWAY RD) CHELTENHAM PTY LTD ACN 159 790 913 will change to a public company limited by shares. The new name will be **SYNERGY (RAILWAY RD) CHELTENHAM LTD** ACN 159 790 913.

CHINOVA LTD ACN 107 689 878 will change to a proprietary company limited by shares. The new name will be **CHINOVA PTY LTD** ACN 107 689 878.

REGIUS COAL MINING LIMITED ACN 149 334 565 will change to a proprietary company limited by shares. The new name will be **REGIUS COAL MINING PTY LTD** ACN 149 334 565.