



Commonwealth of Australia Gazette

No. A080/12, Tuesday, 6 November 2012

Published by ASIC

# **ASIC Gazette**

From 1 July 2012, lists of companies to be deregistered under s601AA and 601AB of the Corporations Act 2001 will be published on the Insolvency notices website at <a href="mailto:insolvencynotices.asic.gov.au">insolvencynotices.asic.gov.au</a>

# **Contents**

# **Notices under Corporations Act 2001**

12-1392	12-1394	12-1395	12-1396	12-1397	12-1398	12-1399	12-1400
12-1490	12-1491	12-1492	12-1493	12-1494	12-1495	12-1496	12-1497
12-1499	12-1500	12-1501	12-1502	12-1503	12-1504	12-1505	12-1506
12-1507	12-1508	12-1509	12-1510	12-1511	12-1512	12-1513	12-1514
12-1515	12-1516	12-1517	12-1522	12-1523	12-1525	12-1526	12-1528
12-1532	12-1534	12-1536	12-1540	12-1544	12-1551	12-1552	

# Company/Scheme deregistrations

# Change of company type

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

### Notice of Cancellation of an Australian Financial Services Licence

TO: ACN 139 891 955 Pty Ltd
ACN 139 891 955 ("the Licensee")
Last notified principal place of business:
Suite 2001, Level 20
264-278 George Street
SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 342153 held by the Licensee with effect from the date of this notice.

Dated this

25h day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: AG Private Advisory Pty Ltd
ACN 129 964 852 ("the Licensee")
Last notified principal place of business:
Level 7, 330 Collins Street
MELBOURNE VIC 3000

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 324294 held by the Licensee with effect from the date of this notice.

Dated this

25th day

October 201

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Barrington Investment Management Limited ACN 138 174 348 ("the Licensee")
Last notified principal place of business:
Level 2, 106 King Street
SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 340813 held by the Licensee with effect from the date of this notice.

Dated this

25th october 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Belgravia Funds Management Pty Ltd ACN 113 835 448 ("the Licensee") Last notified principal place of business: Level 11, 380 St Kilda Road MELBOURNE VIC 3004

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 295394 held by the Licensee with effect from the date of this notice.

Dated this

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Elderslie Managers Pty Limited
ACN 082 564 163 ("the Licensee")
Last notified principal place of business:
Level 12, 321 Kent Street
SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 288751 held by the Licensee with effect from the date of this notice.

Dated this 25th October 2012

Signed .....

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Financial Advice Centre Pty Ltd
ACN 086 168 523 ("the Licensee")
Last notified principal place of business:
Level 12, 383 Kent Street
SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 243561 held by the Licensee with effect from the date of this notice.

Dated this

20 000

Signed .....

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Melbourne University Credit Union Limited ACN 087 651 590 ("the Licensee")
Last notified principal place of business:
Old Geology South Building
PARKVILLE VIC 3052

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 245565 held by the Licensee with effect from the date of this notice.

Dated this

291th October 2012

Signed

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: Zenith Insurance Services (NSW) Pty Ltd ACN 095 132 764 ("the Licensee") Last notified principal place of business: Suite 1, 460 Pacific Highway ST LEONARDS NSW 2065

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 245357 held by the Licensee with effect from the date of this notice.

Dated this

25 of October 2012

Signed

Joyce Krashow





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: BNW Group Holding Pty Ltd ACN 141 354 298 ("the Licensee") Last notified principal place of business: Suite 239, 365-377 Kent Street SYDNEY NSW 2000

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 391030 held by the Licensee with effect from the date of this notice.

Dated this 30th October 2012

Signed

Jason Waite





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: EWL Mortgage Solutions Pty Ltd
ACN 135 239 566 ("the Licensee")
Last notified principal place of business:
Suite 301, 247 Coward Street
MASCOT NSW 2020

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 380231 held by the Licensee with effect from the date of this notice.

Dated this 30th October 2012

Signed

Jason Waite





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

# Notice of Cancellation of an Australian Credit Licence

TO: Geelong & District Credit Co-operative Society Limited ACN 087 651 465 ("the Licensee")
Last notified principal place of business:
51 Little Ryrie Street
GEELONG VIC 3220

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 243520 held by the Licensee with effect from the date of this notice.

Dated this 30th October 2012

Signed

Jason Waite





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: Melbourne University Credit Union Limited ACN 087 651 590 ("the Licensee")
Last notified principal place of business:
Old Geology South Building
PARKVILLE VIC 3052

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 245565 held by the Licensee with effect from the date of this notice.

Dated this 30th October

Signed

Jason Waite





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: Mortgage Money Pty Ltd
ACN 141 848 615 ("the Licensee")
Last notified principal place of business:
51 Strickland Street
SOUTH PERTH WA 6151

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 390282 held by the Licensee with effect from the date of this notice.

Signed

Jason Waite

Dated this 30th October 2013





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

### Notice of Cancellation of an Australian Credit Licence

TO: ND Finance Pty. Ltd.
ACN 119 140 313 ("the Licensee")
Last notified principal place of business:
121 Middleborough Road
BOX HILL VIC 3128

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 395054 held by the Licensee with effect from the date of this notice.

Dated this 30th October 2012

Signed

Jason Waite





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: Phoenix (N.S.W.) Credit Union Limited ACN 087 650 502 ("the Licensee")
Last notified principal place of business: Industrial Drive
MAYFIELD NSW 2304

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 240601 held by the Licensee with effect from the date of this notice.

Dated this 30th October 2012

Signed

Jason Waite





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: Superior Finance Pty. Ltd.
ACN 140 440 875 ("the Licensee")
Last notified principal place of business:
16 Coffeebush Court
REEDY CREEK QLD 4227

Pursuant to paragraph 54(1)(b) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 382766 held by the Licensee with effect from the date of this notice.

Dated this 30th October 2012

Signed

Jason Waite





# ASIC

Australian Securities & Investments Commission

12-1499

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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: A.C.N. 102 708 725 Pty Ltd ACN 102 708 725 ("the Licensee") Last notified principal place of business: MacKinlay's Pty Ltd Level 3, 64 Marine Parade SOUTHPORT QLD 4215

Pursuant to paragraph 915B(3)(b) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 226360 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Ashington Capital Pty Ltd
ACN 117 115 063 ("the Licensee")
Last notified principal place of business:
'1 04', 2-14 Kings Cross Road
POTTS POINT NSW 2011

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 296140 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: BDM Direct Pty Ltd
ACN 006 755 004 ("the Licensee")
Last notified principal place of business:
27 Balmain Street
RICHMOND VIC 3121

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 288781 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 254 day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Bopo Cards (Australia) Pty Ltd
ACN 115 193 078 ("the Licensee")
Last notified principal place of business:
677 The Boulevard
EAGLEMONT VIC 3084

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 306537 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Global Treasury Services Pty Ltd
ACN 139 603 553 ("the Licensee")
Last notified principal place of business:
Level 4, 15 Castlereagh Street
SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 341485 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this

25h day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Hastings Capital Limited ACN 099 685 739 ("the Licensee") Last notified principal place of business: Level 1, 39 East Esplanade MANLY NSW 2095

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 221145 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: Herbert Insurance Group Australia Ltd ACN 128 937 020 ("the Licensee") Last notified principal place of business: 22 Market Street BRISBANE QLD 4000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 337894 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th of October 2012

Signed .....

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: McLaughlins Financial Services Limited ACN 088 647 796 ("the Licensee")
Last notified principal place of business: 5-7 Hicks Street
SOUTHPORT QLD 4215

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 227010 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25h October 2012

Signed

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: Octaviar Aqua Managers Limited ACN 122 737 795 ("the Licensee") Last notified principal place of business: 5 Hicks Street SOUTHPORT QLD 4215

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 308984 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Opes Prime Stockbroking Ltd
ACN 086 294 028 ("the Licensee")
Last notified principal place of business:
Level 29, 600 Bourke Street
MELBOURNE VIC 3000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 247408 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: RI Capital Pty Ltd
ACN 113 154 297 ("the Licensee")
Last notified principal place of business:
Level 6, 101 Collins Street
MELBOURNE VIC 3000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 293156 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: Risk-Easy Pty Ltd
ACN 111 792 495 ("the Licensee")
Last notified principal place of business:
Unit 205, 1 Powell Street
EAST MELBOURNE VIC 3002

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 287945 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this

25h Ochobe 2012

Signed

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: South Eastern Secured Investments Limited ACN 071 637 477 ("the Licensee")
Last notified principal place of business:
Level 24, 333 Collins Street
MELBOURNE VIC 3000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 238818 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed .....

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Victorian Families Retirement & Investment Group Pty Ltd ACN 006 840 062 ("the Licensee")
Last notified principal place of business:
Storm Financial Pty Ltd
382-432 Sturt Street
TOWNSVILLE QLD 4810

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 229365 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Viridis Energy Capital Pty Limited ACN 098 467 988 ("the Licensee")
Last notified principal place of business:
Level 1, 167 Flinders Lane
MELBOURNE VIC 3000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 222548 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of october 2012

Signed ......

Joyce Krashow





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

### Notice of Cancellation of an Australian Financial Services Licence

TO: Warranted Financial Solutions Pty Ltd ACN 006 351 837 ("the Licensee") Last notified principal place of business: Suite 5, Level 2 57-59 Ross Street TOORAK VIC 3142

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 253906 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of Detover 2012

Signed .....

Joyce Krashow





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

#### Notice of Cancellation of an Australian Financial Services Licence

TO: Yuan Fu Capital Markets Limited
ACN 126 786 301 ("the Licensee")
Last notified registered office address in Australia:
Level 2, Suite 203
451 Pitt Street
SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(b) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 321319 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 25th day of October 2012

Signed

Joyce Krashow

#### NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 29 October 2012.

#### **AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

# NOTICE OF CANCELLATION OF AUSTRALIAN FINANCIAL SERVICES LICENCE

To: MAIA Holdings Pty Ltd

**Unit 638** 

243 Pyrmont Street PYRMONT NSW 2009

Under to paragraph 915C(3) of the *Corporations Act 2001* the Australian Securities and Investments Commission hereby cancels Australian financial services licence numbered 307024 held by the MAIA Holdings Pty Ltd ACN 121 540 001.

Dated this 22<sup>nd</sup> day of October 2012.

GAI DI BARTOLOMEO

Delegate of the

Australian Securities and Investments Commission.





# Australian Securities & Investments Commission National Consumer Credit Protection Act 2009 Section 54

#### Notice of Cancellation of an Australian Credit Licence

TO: Curramar Pty Ltd
ACN 074 613 782 ("the Licensee")
Last notified principal place of business:
Unit 12B, 41-45 Tennant Street
FYSHWICK ACT 2609

Pursuant to paragraph 54(1)(c) of the **National Consumer Credit Protection Act 2009**, the Australian Securities and Investments Commission hereby cancels Australian Credit Licence number 387878 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 30th October 2012

Signed

Jason Waite

# Australian Securities and Investments Commission Corporations Act 2001 — Subsections 601QA(1) and 1075A(1) — Declaration

# **Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under subsections 601QA(1) and 1075A(1) of the *Corporations Act 2001* (the *Act*).

#### Title

2. This instrument is ASIC Instrument 12-1522.

#### Commencement

3. This instrument commences on 25 October 2012.

# Declaration

- 4. Chapter 5C of the Act applies to FSF Management Company Limited (the *Manager*), a registered company in New Zealand with company number 3959420, in its capacity as the manager of Fonterra Shareholders Fund (the *Scheme*) as if the following provisions were modified or varied:
  - (a) in section 9:
    - (i) omit the definition of *registered scheme*, substitute:
      - "registered scheme means a managed investment scheme that is registered under section 601EB and, in the provisions to which subsection 601EBB(1) applies, includes a managed investment scheme that is registered under section 601EBA.";
    - (ii) omit the definition of responsible entity, substitute:

"responsible entity of a registered scheme means:

- (a) for a scheme that is registered under section 601EB—the company named in ASIC's record of the scheme's registration as the responsible entity or temporary responsible entity of the scheme;
- (b) for a scheme that is registered under section 601EBA—the body named in ASIC's record of the scheme's registration as the responsible entity of the scheme.";

2

12-1522

(b) after section 601EB insert:

## "601EBA Registration of mutual recognition scheme

- (1) This section applies to a managed investment scheme in relation to which interests in the scheme have been the subject of recognised offers.
- (2) ASIC may register the scheme under this section if the operator of the scheme lodges an application in writing for registration of the scheme.
- (3) If ASIC registers the scheme, ASIC must give it an ARSN.
- (4) ASIC must keep a record of the registration of the scheme.
- (5) Section 601EA does not apply in relation to the registration of a scheme under this section.

# 601EBB Effect of registration under section 601EBA

- (1) The following provisions of this Act apply in relation to a managed investment scheme (the *Chapter 8 scheme*) that is registered under section 601EBA:
  - (a) Part 1.2A;
  - (b) Chapter 6CA;
  - (c) Part 7.2;
  - (d) Divisions 3 and 4 of Part 7.11;
  - (e) Part 9.4AA,

as if:

- (f) a reference to a registered scheme included a reference to a Chapter 8 scheme; and
- (g) a reference to an interest in a registered scheme or a managed investment product included a reference to an interest in a Chapter 8 scheme; and
- (h) a reference to a responsible entity included a reference to the body named in ASIC's record of the Chapter 8 scheme's registration as the responsible entity of the scheme.
- (2) To avoid doubt, this Chapter (apart from section 601EBA, this section and section 601QA) does not apply to a managed investment scheme

3

12-1522

that is registered under section 601EBA.".

5. Part 7.11 of the Act applies to an interest in the Scheme as if regulation 7.11.08 of the *Corporations Regulations 2001* were modified or varied by, after "section 601EB", inserting "or section 601EBA".

# Where this instrument applies

6. This instrument applies where the Manager has not applied for, and has not been granted, a waiver from the provisions of the listing rules of the kind mentioned in section 674, in relation to the Scheme.

Dated this 25th day of October 2012

Stephen Yen

Signed by Stephen Yen PSM

# Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 1020F(1)(c) — Declaration

## **Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under paragraph 1020F(1)(c) of the *Corporations Act 2001* (the *Act*).

#### Title

2. This instrument is ASIC Instrument 12-1523.

#### Commencement

3. This instrument commences on 25 October 2012.

### Declaration

4. ASIC declares that Part 7.9 of the Act applies to a person who holds an interest in Fonterra Shareholders' Fund ARSN160 941 542 (the *Scheme*) (the *Seller*) as if subsections 1012C(6) and (7) were omitted.

## Where this instrument applies

- 5. The declaration in this instrument applies where each of the following are met:
  - (a) The Seller offers to sell an interest (the *relevant interest*) in the Scheme to another person on the financial market operated by the ASX;
  - (b) A relevant interest is issued to the Seller pursuant the arrangements contemplated by the Trust Deed under which the relevant interest is issued to the Seller in exchange for a share in Fonterra Group Co-Operative Limited (New Zealand company number 1166320) held by the Seller;
  - (c) The relevant interest is issued to brokers acting on behalf of the Seller and is to be re-sold immediately; and
  - (d) A recognised offer of interests in the Scheme has been made in this jurisdication and the relevant interest is in the same class as the interests that were offered under the recognised offer.

## Interpretation

2

12-1523

In this instrument:

ASX means ASX Limited ACN 008 624 691.

*Trust Deed* means the trust deed which constitutes the Scheme, as at the date of this instrument.

Dated this 25<sup>th</sup> day of October 2012

Signed by Violet Wong

# Australian Securities and Investments Commission Corporations Act 2001 – Paragraph 926A(2)(c) – Declaration

## **Enabling legislation**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under paragraph 926A(2)(c) of the Corporations Act 2001 (Act).

#### Title

2. This instrument is ASIC Instrument 12-1525.

#### Commencement

3. This instrument commences on 25 October 2012.

#### **Declaration**

4. Part 7.6 (other than Division 4 and 8) of the Act applies to SP Australia Networks (RE) Ltd ACN 109 977 371 (SP AusNet) as if paragraph 912AA(4)(d) of the Act (as notionally inserted by ASIC Class Order [CO 11/1140]) were modified or varied by inserting after "licensee's directors", the words "or the compliance committee of a registered scheme operated by the licensee where at least two of the licensee's external directors are members".

## Where declaration applies

5. The directors of SP AusNet have delegated their authority to approve the cash flow projections of SP AusNet to the compliance committee in relation to the Trust.

## Interpretation

In this instrument:

Trust means the SP Australia Networks (Finance) Trust ARSN 116 783 914.

Dated this 25th day of October 2012

Signed by Phillip Nguyen

# Australian Securities and Investments Commission Corporations Act 2001 – Paragraph 911A(2)(l) – Exemption

## **Enabling legislation**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under paragraph 911A(2)(1) of the Corporations Act 2001 (the Act).

#### Title

2. This instrument is ASIC Instrument 12-1526.

#### Commencement

3. This instrument commences on gazettal.

### Exemption

- 4. Matcham Capital Investment Management (*MCIM*) is exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services to wholesale clients situated outside of this jurisdiction:
  - (a) financial product advice in relation to derivatives;
  - (b) dealing in derivatives limited to arranging for the Fund to apply for or acquire derivatives.

# Where this instrument applies

- 5. This instrument applies for so long as:
  - (a) the financial services specified in paragraph 4 are provided by Mr Andrew Lenton on behalf of MCIM;
  - (b) Mr Andrew Lenton ordinarily resides in Australia;
  - (c) MCIM and the Fund comply with Cayman Islands regulatory requirements; and
  - (d) promotion of MCIM or the Fund is not principally aimed at persons in this jurisdiction.
- 6. This instrument ceases to apply if any of the following occur:
  - (a) MCIM provides any other financial services in circumstances that would require MCIM to hold an Australian financial services licence covering the provision of the services;

- (b) MCIM provides the financial services specified in paragraph 4 to any clients within this jurisdiction;
- (c) MCIM fails to notify ASIC in writing within 15 business days after MCIM became aware or should reasonably have become aware, of any significant investigation, enforcement or disciplinary action taken by the Cayman Islands Monetary Authority or other overseas regulatory authority against MCIM or the Fund in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction;
- (d) MCIM holds itself out as holding an Australian financial services licence.

#### Interpretation

## 7. In this instrument:

Cayman Islands regulatory requirements means the rules that apply in relation to the financial services including any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the Cayman Islands Monetary Authority.

Fund means Matcham Capital (Cayman Islands Company number 253522), a body corporate incorporated under the law of the Cayman Islands.

Matcham Capital Investment Management or MCIM means Matcham Capital Investment Management (Cayman Islands company number 253525), a body corporate incorporated under the law of the Cayman Islands.

overseas regulatory authority means a foreign regulatory authority (other than the Cayman Islands Monetary Authority) which regulates financial services and which is established by or for the purposes of a foreign government or legislative body.

Dated this 26th day of October 2012

Signed by Paul Li

# Australian Securities and Investments Commission Corporations Act 2001 – Paragraph 926A(2)(c) – Declaration

# **Enabling legislation**

1. The Australian Securities and Investments Commission ("ASIC") makes this instrument under paragraph 926A(2)(c) of the *Corporations Act 2001*(the "Act").

## Title

2. This instrument is ASIC Instrument 12-1528.

#### Commencement

3. This instrument commences on 1 November 2012.

#### Declaration

4. Part 7.6 (other than Divisions 4 and 8) of the Act applies in relation to Harvest Asset Management Limited ACN 123 349 173 (the *Licensee*) as if subparagraph 912AA(5)(a)(i) of the Act (as notionally inserted by ASIC Class Order [CO 11/1140]) were modified or varied by omitting "\$150,000" and substituting "\$50,000".

## Where the declaration applies

- 5. The Licensee lodges with ASIC:
  - (a) notification of the completion of winding up of Harvest Water Fund ARSN 128 844 280 and Harvest Agribusiness Fund ARSN 128 844 182 (the *Schemes*) pursuant to regulation 5C.9.01 of the *Corporations Regulations 2001*;
  - (b) notification pursuant to subsection 601PA(2) of the Act to deregister the Schemes; and
  - (c) an application pursuant to section 915B of the Act to cancel that Licensee's Australian financial services (AFS) licence

by 31 August 2013.

Dated this 29th day of October 2012

Signed by Tony Tran

# Australian Securities and Investments Commission Corporations Act 2001 – Paragraphs 741(1)(a), 741(1)(b), 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) – Exemptions and Declaration

## **Enabling legislation**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under paragraphs 741(1)(a), 741(1)(b), 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 12-1532.

#### Commencement

3. This instrument commences on the date of gazettal.

## **Exemptions**

- 4. RCR Tomlinson Limited ACN 008 898 486 (the *issuer*) and any related body corporate (the *issuer*) do not have to comply with Parts 6D.2 and 6D.3 (except section 736) and 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.
- 5. Where the issuer is exempt from Part 6D.2 or Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from:
  - (a) the requirement to hold an Australian financial services licence for the provision of 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) the requirement to hold an Australian financial services licence for the provision of the following financial services:
  - (i) the provision of a custodial or depository 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;
  - (ii) dealing in a financial product in the course or providing a custodial or depository service covered by subparagraph (i); and
  - (iii) 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:
    - (A) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
    - (B) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place; and
- (c) sections 736 and 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.
- 6. CPU Share Plans Pty Ltd ACN 081 600 875 (the *plan trustee*) in its capacity as trustee of the employee share trust does not have to comply with Parts 6D.2 and 6D.3 (except section 736) and Part 7.9 of the Act where the plan trustee:
  - (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.
- 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 or the plan trustee) that a person to whom such an 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.

Page 47 of 67

12-1532

# Where this instrument applies

- 8. This instrument applies where the issuer and the plan trustee:
  - (a) meet the requirements (including, for the avoidance of doubt, definitions) of ASIC Class Order [CO 03/184] (the *class order*) 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, except the definitions of:
    - (i) "eligible offer" in paragraph 9 of the Interpretation; and
    - (ii) "offer document" in paragraph 15 of the Interpretation; and
  - (b) would meet the requirements of the class order if 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:
      - (a) fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by ASX Limited throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period; or
      - (b) performance rights in relation to shares referred to in paragraph (a),

made under an employee share scheme extended only to eligible employees of the issuer;" and

- (c) would meet the requirements of the class order if, 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 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
  - (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date."; and
- (d) would meet the requirements of the class order if, in the Interpretation, the following definition was inserted:
  - "16A."performance right" means a right to subscribe for and/or acquire one fully paid ordinary share in the capital of an issuer, where no consideration is payable for the exercise of the right to subscribe for and/or acquire such a share;".

#### **Conditions**

9. The issuer and the plan trustee can only rely on the exemptions in this instrument where the issuer and the plan trustee comply with the conditions of the class order as expressed to apply to them in that capacity.

#### Declaration

10. ASIC declares that Chapter 6D of the Act applies in relation to the issuer and the plan trustee as if subsections 707(3) and (4) were omitted. This declaration applies to any sale offer of shares that were issued or transferred in connection with an eligible incentive plan offer where the offer occurs within 12 months after the issue of the shares.

## Interpretation

11. In this instrument:

eligible incentive plan offer means an offer for issue or sale of shares in the issuer, or of performance rights in relation to the shares, made under an arrangement known as the "Long Term Incentive Plan", the terms of which are substantially in the same form as those provided to ASIC on 28 August 2012.

employee share trust, in relation to an eligible incentive plan offer, means the trust established by a trust deed entered into between the issuer and the plan trustee, the terms of which are substantially in the same form as those provided to ASIC on 28 August 2012.

Dated this 30<sup>th</sup> day of October 2012

Signed by Yuki Kobayashi

# Australian Securities and Investments Commission Corporations Act 2001 — Paragraphs 1020F(1)(a) and 1020F(1)(c) – Exemption and Declaration

## **Enabling legislation**

The Australian Securities and Investments Commission makes this instrument under paragraphs 1020F(1)(a) and 1020F(1)(c) of the Corporations Act 2001 (Act).

#### Title

2 This instrument is ASIC Instrument 12-1534.

#### Commencement

3 This instrument commences on 30 October 2012.

#### Where this instrument applies

- This instrument applies to interests in a registered scheme while the interests are able to be traded on the financial market operated by ASX as AQUA Products (*Scheme*) where:
  - (a) for an interest in a Scheme for which a Product Disclosure Statement has been lodged with ASIC under section 1015B of the Act at the date of this instrument, the responsible entity discloses by publication on the responsible entity's website for the Scheme for the period until a Supplementary Product Disclosure Statement or a new Product Disclosure Statement that discloses the same is lodged with ASIC under section 1015B of the Act for an interest in that Scheme; or
  - (b) for an interest in a Scheme for which a Product Disclosure Statement has not been lodged with ASIC under section 1015B of the Act at the date of this instrument, each Product Disclosure Statement discloses,

the effect of the declaration under this instrument and until 1 March 2013 the exemption under this instrument.

#### **Declaration**

- Part 7.9 of the Act applies to Betashares Capital Ltd (ABN 78 139 566 868)

  (Betashares) in relation to a periodic statement required for a reporting period ending before 1 January 2014 in relation to interests in a Scheme as if subsection 1017D(5) were modified or varied as follows:
  - (a) after subsection 1017D(5) insert:

"(5AA) In relation to an interest in a registered scheme, amounts disclosed in accordance with paragraphs (5)(a), (b), (c), (d), (e) and (g), may be based on:

- (a) for opening balances, closing balances or termination values:
  - (i) the net asset value per interest of the scheme on each transaction date or on the date of settlement of the transaction in a CS facility; or
  - (ii) the last market price for an interest of the scheme on each transaction date or on the date of settlement of the transaction in a CS facility,

as at the start and end of the reporting period respectively together with a clear explanation of how the values and the balances have been calculated based on the net asset value or last market price (as applicable), the reasons for, and the implications of applying that basis; and

- (b) for details of transactions in relation to the interest during the reporting period, increases in contributions in relation to the interest, return on investment and amounts paid by the holder during the reporting period in respect of the interest:
  - (i) where the amounts in paragraph (a) are based on the net asset value:
    - (A) the net asset value per interest of the scheme on each transaction date; or
    - (B) the net asset value per interest of the scheme on the date of settlement of the transaction in a CS facility;
  - (ii) where the amounts in paragraph (a) are based on the last market price:
    - (A) the last market price for an interest of the scheme on each transaction date; or
    - (B) the last market price for an interest of the scheme on the date of settlement of the transaction in a CS facility,

together with a clear explanation of how the amounts have been calculated based on the net asset value or last market price (as applicable) and the reasons for, and implications of applying that basis.".

# Exemption

Betashares does not have to comply with subsection 1017D(1) of the Act in relation to an interest in the Scheme for each reporting period ending on or before 1 March 2013.

# Interpretation

In this instrument:

ASX means ASX Limited ACN 008 624 691.

AQUA Products has the same meaning given by the operating rules of ASX.

Dated this 30<sup>th</sup> day of October 2012.

Signed by Maan Beydoun

# Australian Securities and Investments Commission Corporations Act 2001 – Paragraphs 741(1)(a), 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 741(1)(a), 911A(2)(1), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the Corporations Act 2001 (Act).

#### Title

2. This instrument is ASIC Instrument 12-1536.

#### Commencement

3. This instrument commences on the date of gazettal.

# **Exemptions**

- 4. Homeloans Limited ACN 095 034 003 (the *issuer*) and any related body corporate (the *issuer*) do not have to comply with Parts 6D.2 and 6D.3 (except section 736) and 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.
- 5. Where the issuer is exempt from Part 6D.2 or Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from:
  - (a) the requirement to hold an Australian financial services licence for the provision of 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) the requirement to hold an Australian financial services licence for the provision of the following financial services:
  - (i) the provision of a custodial or depository 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;
  - (ii) dealing in a financial product in the course or providing a custodial or depository service covered by subparagraph (i);
  - (iii) issuing a financial product under an eligible incentive plan offer; and
  - (iv) 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:
    - (A) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
    - (B) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place; and
- (c) sections 736 and 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.
- 6. 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 such an 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.

# Where this instrument applies

- 7. This instrument applies where the issuer:
  - (a) meets the requirements (including, for the avoidance of doubt, definitions) of ASIC Class Order [CO 03/184] (the *class order*) 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, except the definitions of:

- (i) "eligible offer" in paragraph 9 of the Interpretation; and
- (ii) "offer document" in paragraph 15 of the Interpretation; and
- (b) would meet the requirements of the class order if 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:
    - (a) fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by ASX Limited throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period; or
    - (b) performance rights in relation to shares referred to in paragraph (a),
    - made under an employee share scheme extended only to eligible employees of the issuer;" and
- (c) would meet the requirements of the class order if, 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 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
- (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date."; and
- (d) would meet the requirements of the class order if, in the Interpretation, the following definition was inserted:
  - "16A."performance right" means a right to subscribe for and/or acquire one fully paid ordinary share in the capital of an issuer, where no consideration is payable for the exercise of the right to subscribe for and/or acquire such a share;".

## Conditions

8. The issuer can only rely on the exemptions in this instrument where the issuer complies with the conditions of the class order as expressed to apply to them in that capacity.

## Interpretation

9. In this instrument:

eligible incentive plan offer means an offer for issue or sale of shares in the issuer, or of performance rights in relation to the shares, made under an arrangement known as the "Homeloans Limited Employee Rights Plan", the terms of which are substantially in the same form as those provided to ASIC on 4 October 2012.

Dated this 30th day of October 2012

Signed by Yuki Kobayashi





ASIC

Australian Securities & Investments Commission

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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Lifetime Financial Pty Ltd ACN 119 161 438 ("the Licensee") P O box 2443 Toowong DC Qld 4066

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 322212 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 31st October 2012

Signed

# 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 declaration under paragraph 655A(1)(b) of the Corporations Act 2001 (Act).

#### Title

2. This instrument is ASIC Instrument 12-1544.

#### Commencement

3. This instrument commences on 31 October 2012.

#### **Declaration**

- 4. Chapter 6 of the Act applies to Acer Energy Limited ACN 101 313 777 (Acer) as if subsection 633(1) of the Act was modified or varied by:
  - a) in Item 11, under "Timing and relevant provisions", replacing "15 days" with "18 days"; and
  - b) in Item 12, under "Timing and relevant provisions", replacing "15 days" with "18 days".

# Where this declaration applies

- 5. This declaration applies to the off-market takeover bid made by Drillsearch Energy Limited ACN 006 474 844, through its wholly-owned subsidiary Drillsearch (Central) Pty Limited ACN 160 522 056, for all of the ordinary shares in Acer where:
  - a) a bidder's statement was lodged with ASIC on 4 October 2012; and
  - b) Acer made an announcement to the Australian Stock Exchange on the date of this instrument about the effect of this modification and included in the announcement a recommendation that shareholders should take no action until they have considered the target's statement.

Dated this 31st day of October 2012

Signed by Nayanisha Samarakoon

## Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 741(1)(b) – Declaration

- Under paragraph 741(1)(b) of the Corporations Act 2001 (the *Act*) the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 6D of the Act applies to the person specified in Schedule A in the case specified in Schedule B as if section 713 of the Act were modified or varied as follows:
  - (a) at the end of paragraph 713(1)(b) insert "or";
  - (b) after paragraph 713(1)(b) insert:
    - "(c) convertible securities that are convertible into continuously quoted securities of a body.";
  - (c) at the end of paragraph 713(2)(d) omit "securities.", substitute "securities; and";
  - (d) after subparagraph 713(2)(d) insert:
    - "(e) if the securities are convertible securities the rights and liabilities attaching to:
      - (i) the convertible securities themselves; and
      - (ii) the underlying securities."
- Under paragraph 741(1)(b) of the Act ASIC declares that Chapter 6D of the Act applies to the person specified in Schedule A in the case specified in Schedule B as if the definition of "underlying securities" in section 9 of the Act were modified or varied as follows:
  - (a) at the end of subparagraph (b) omit "securities." substitute "securities; and";
  - (b) after subparagraph (b) insert:
    - "(c) in relation to convertible securities those securities into which the securities may be converted."

#### Schedule A

Slater & Gordon Limited ACN 097 297 400 (Slater & Gordon)

## Schedule B

An offer by Slater & Gordon to issue up to 1,830,000 convertible securities where the terms of the issue are in accordance with Slater & Gordon's Employee Ownership Plan,

a copy and summary of which were provided to ASIC on 29 October 2012 and the offer is made pursuant to a prospectus lodged with ASIC under Chapter 6D of the Act.

Dated this 1st day of November 2012

Signed by Michael Jukes

# Australian Securities and Investments Commission Corporations Act 2001 — Subsection 741(1) – Exemption and Declaration

# **Enabling legislation**

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

#### Title

2. This instrument is ASIC Instrument 12-1552.

#### Commencement

3. This instrument commences on 1 November 2012.

# Exemption

4. South Boulder Mines Limited ACN 097 904 302 (*issuer*) does not have to comply with Part 6D.2 or 6D.3 of the Act for an offer of securities in Duketon Mining Limited ACN 159 084 107 (*Duketon*) by the issuer to shareholders of the issuer.

## Declaration

- 5. Chapter 6D of the Act applies to holders of securities in Duketon as if section 707 of the Act were modified or varied:
  - (a) by omitting subsection 707(3), and substituting:
    - "(3) An offer of a body's securities for sale within 12 months after their issue needs disclosure to investors under this Part if the body issued the securities:
      - (a) without disclosure to investors under this Part; and
      - (b) with the purpose of the person to whom they were issued selling or transferring them, or granting, issuing or transferring interests in, or options or warrants over, them;

and section 708 or 708A does not say otherwise."; and

- (b) by omitting subsection 707(4), and substituting:
  - "(4) Unless the contrary is proved, a body is taken to issue securities with the purpose referred to in paragraph (3)(b) if any of the securities are subsequently sold, or offered for sale, within 12 months after their issue."

# Where this instrument applies

6. This instrument applies in connection to an offer made by the issuer to its shareholders for an in specie distribution of fully paid ordinary shares held by the issuer in Duketon; the terms of which are substantially in the same form as those provided to in a notice of meeting lodged with ASIC on 22 October 2012.

Dated this 1st day of November 2012

Signed by Tashreen Tourabaly

**ARBN** 

Company/Scheme deregistrations

Page 63 of 67

**CORPORATIONS ACT 2001** Section 601CL(5)

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

Dated this second day of November 2012

Rosanne Bell **DELEGATE OF** THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company** 

NETGEAR INTERNATIONAL, INC. 092 286 998 Company/Scheme deregistrations

Page 64 of 67

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 second day of November 2012

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company ARBN

SUGAR INTERNATIONAL LIMITED 129 543 184

Company/Scheme deregistrations

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 second day of November 2012

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
COAL RIVER VALLEY PREMIUM PROJECT	093 261 762
ING WHOLESALE GLOBAL HIGH DIVIDEND FUND	113 776 793
RAY WHITE INVEST LEVERAGED DEVELOPMENT FUND	098 399 314
RAY WHITE INVEST SERVICE CENTRE TRUST	116 239 760
T. ROWE PRICE GLOBAL EQUITY CORE GROWTH (HEDGED) FUND	141 330 627
T. ROWE PRICE GLOBAL EQUITY CORE GROWTH FUND	141 330 387

Company/Scheme deregistrations

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 second day of November 2012

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme ARSN

MACQUARIE GATEWAY TRUST 132 642 178 MACQUARIE SPECIAL EVENTS FUND 115 880 432

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.

BINUANG COAL LTD ACN 155 477 982 will change to a proprietary company limited by shares. The new name will be BINUANG COAL PTY LTD ACN 155 477 982.

**FOOTHILLS CAPITAL LTD** ACN 145 932 752 will change to a proprietary company limited by shares. The new name will be FOOTHILLS CAPITAL PTY LTD ACN 145 932 752.

**KENILWORTH EXPLORATION PTY LTD** ACN 119 439 691 will change to a public company limited by shares. The new name will be KENILWORTH EXPLORATION LIMITED ACN 119 439 691.

**WELLCAP HOLDINGS LIMITED** ACN 159 947 574 will change to a proprietary company limited by shares. The new name will be WELLCAP HOLDINGS PTY LTD ACN 159 947 574.

FIRST MORTGAGE CAPITAL LIMITED ACN 150 210 736 will change to a proprietary company limited by shares. The new name will be FIRST MORTGAGE CAPITAL PTY LTD ACN 150 210 736.

**GLONGOO LIMITED** ACN 152 801 208 will change to a proprietary company limited by shares. The new name will be GLONGOO PTY LTD ACN 152 801 208.

OAR INSPIRED LIMITED ACN 146 131 704 will change to a proprietary company limited by shares. The new name will be OAR INSPIRED PTY LTD ACN 146 131 704.