



ASIC

Australian Securities &
Investments Commission

Commonwealth of Australia Gazette

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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 insolvencynotices.asic.gov.au

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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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12 - 1591

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Williamson Wentworth Ltd
ACN 128 868 440 ("the Licensee")
GPO Box 2539
Sydney NSW 2001

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 322644 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 26 November 2012.

Signed

A handwritten signature in black ink, appearing to be "JK", written over a dotted line.

Joyce Krashow, a delegate of the Australian Securities and Investments Commission



12-1602

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Bowden Financial Planning Pty Ltd
ACN 105939393 ("the Licensee")
PO Box 1309
Subiaco WA 6904

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 237990 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 21 November 2012

Signed

Joyce Krashow, a delegate of the Australian Securities and Investments Commission



12-1631

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: River Resort Management Limited
ACN 009 078 826 ("the Licensee")
PO Box 7045 GCMC
BUNDALL QLD 9276

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 226372 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 23 November 2012.

Signed

A handwritten signature in black ink, appearing to be "JK", written over a dotted line.

Joyce Krashow, a delegate of the Australian Securities and Investments Commission

12-1635

Australian Securities and Investments Commission
Corporations Act 2001 - Paragraphs 601QA(1)(b), 741(1)(b) and 1020F(1)(c) –
Revocation and Declarations

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 601QA(1)(b), 741(1)(b) and 1020F(1)(c) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 12-1635.

Commencement

3. This instrument commences on 4 December 2012.

Revocation

4. ASIC Instrument 07/0710 dated 22 June 2007 is revoked.

Declarations

5. Chapter 5C of the Act applies to AMPCI Macquarie Infrastructure Management No 1 Limited ACN 108 013 672 in its capacity as the responsible entity of the Diversified Utility and Energy Trust No. 1 ARSN 109 363 037 (*DUET1*) and AMPCI Macquarie Infrastructure Management No 2 Limited ACN 108 014 062 in its capacity as the responsible entity of the Diversified Utility and Energy Trust No. 2 ARSN 109 363 135 (*DUET2*) and the Diversified Utility and Energy Trust No. 3 ARSN 124 997 986 (*DUET3*) as if the following provisions of that Chapter were modified or varied as follows:

- (a) after section 601FE insert:

“601FEA Modification of duties: stapled securities

- (1) This section applies to a registered scheme (the *scheme*) where the interests in the scheme, interests in other registered schemes and shares in other companies (the *stapled entities*) are components of stapled securities.
- (2) For the purposes of paragraphs 601FC(1)(c) and 601FD(1)(c), an obligation to act in the best interests of the members of the scheme is an obligation to act in the best interests of the members of the scheme having regard to their interests as members of the stapled entities.
- (3) For the purposes of paragraphs 601FC(1)(e), 601FD(1)(d) and 601FD(1)(e), and subsection 601FE(1), an obligation to not make use

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of information, or not make improper use of position, in order to cause detriment to the members of the scheme is an obligation not to do those things in order to cause detriment to the members of the scheme having regard to their membership of each of the stapled entities.”;

(b) in section 601GAA as notionally inserted by ASIC Class Order [CO 05/26]:

(i) in subsection (1) omit “subsections (2) to (8).”, substitute “subsections (2) to (8) and (9A).”;

(ii) after subsection (9) insert:

“(9A) The responsible entity may set the issue price of interests in the scheme that are components of stapled securities where all of the following apply:

- (a) the constitution makes provision for the issue price of stapled securities;
- (b) the constitution provides that the responsible entity may allocate a proportion of the issue price of the stapled securities to the interests in the scheme;
- (c) the stapled securities are issued at a price, or in accordance with a formula or method that is to be used to calculate the issue price of stapled securities, which is set out in the constitution; and
- (d) the responsible entity allocates a proportion of the issue price of the stapled securities to the interests in accordance with the constitution.”;

(c) after subsection 208(2) as notionally inserted by section 601LC, insert:

“(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if all of the following are satisfied:

- (a) the benefit either:
 - (i) is given out of the scheme property of a registered scheme (the *scheme*); or
 - (ii) could endanger the scheme property; and
- (b) all of the interests in the scheme, together with all of the interests in other registered schemes and all of the shares

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in other companies (the *stapled entities*) are components of stapled securities; and

- (c) the benefit is given by:
 - (i) the responsible entity of the scheme; or
 - (ii) an entity that the responsible entity controls; or
 - (iii) an agent of, or person engaged by, the responsible entity; and
- (d) the benefit is given to:
 - (i) an entity wholly owned, whether directly or indirectly, by the scheme; or
 - (ii) a stapled entity or an entity wholly owned, whether directly or indirectly, by a stapled entity; or
 - (iii) an entity wholly owned, whether directly or indirectly, by one or more of the scheme and a stapled entity.

(2B) For the purposes of this section:

- (a) an entity is wholly owned by another entity if all of the shares or interests (as applicable) in the first-mentioned entity are held by, or held by a nominee for (in the case of the second-mentioned entity being a company), or form part of the trust property of (in the case of the second-mentioned entity being a trust), the second-mentioned entity or a wholly owned entity of it; and
- (b) a reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries.”; and

(d) insert after section 601PC:

“601PD Stapled securities

For the purposes of this Chapter:

stapled securities means two or more financial products including at least one interest in a registered scheme where:

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- (a) under the terms on which each of the products are to be traded, they must be transferred together; and
 - (b) there are no financial products in the same class as those financial products which may be transferred separately.”.
6. Chapter 6D of the Act applies to AMPCI Macquarie Infrastructure Management No 1 Limited ACN 108 013 672 (*RE1*), AMPCI Macquarie Infrastructure Management No 2 Limited ACN 108 014 062 (*RE2*) and DUET Investment Holdings Limited ACN 120 456 573 (*DIHL*) as if that Chapter were modified or varied by omitting paragraph 708(13)(b) and substituting:
- “(b) an offer of fully-paid shares in one or more bodies to 1 or more existing holders of shares in the bodies, under a plan for the reinvestment of at least one of the following:
 - (i) dividends in respect of shares in the bodies;
 - (ii) distributions in respect of managed investment products which, under the terms on which they may be traded, must only be transferred together with shares in the bodies.”.
7. Part 7.9 of the Act applies in relation to AMPCI Macquarie Infrastructure Management No 1 Limited ACN 108 013 672 in its capacity as the responsible entity of DUET1 and AMPCI Macquarie Infrastructure Management No 2 Limited ACN 108 014 062 in its capacity as the responsible entity of DUET2 and DUET3 as if paragraph 1012D(3)(b) were modified or varied as follows:
- (a) omit “either:” and substitute “one or more of the following applies:”;
 - (b) in subparagraph (i), omit “or” (second occurring);
 - (c) in subparagraph (ii), omit “facility.” and substitute “facility;”;
 - (d) after subparagraph (ii), insert:
 - “(iii) in a recommendation situation—the advice that constitutes the relevant conduct relates to an offer of managed investment products, under a plan for the reinvestment of at least one of the following:
 - (A) distributions in respect of the managed investment products;
 - (B) dividends in respect of shares in bodies which, under the terms on which they may be traded, must only be transferred together with the managed investment products;

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- (iv) in an issue situation—the offer or issue that constitutes the relevant conduct is an offer or issue of managed investment products, under a plan for the reinvestment of at least one of the following:
- (A) distributions in respect of the managed investment products;
 - (B) dividends in respect of shares in bodies which, under the terms on which they may be traded, must only be transferred together with the managed investment products.”.

Where this instrument applies

8. The declaration in paragraph 5 applies where each interest in DUET1, each interest in DUET2, each interest in DUET3, each ordinary share in RE1, each ordinary share in RE2 and each ordinary share in DIHL must, under the terms on which each is to be traded, only be transferred together (*Stapled Security*).
9. The declarations in paragraphs 6 and 7 apply where an offer or issue of, or recommendation to acquire a component of a Stapled Security is made, under a plan for the reinvestment of dividends in respect of shares in RE1, RE2 and DIHL or distributions in respect of interests in DUET1, DUET2 and DUET3.

Where this instrument ceases to apply

10. These declarations cease to apply if:
- (a) a component of a Stapled Security is issued which on the terms on which it is traded, can be transferred separately without also transferring any other component of a Stapled Security; or
 - (b) any class of interests in DUET1, DUET2 or DUET3 (other than the class of interests in DUET1, DUET2 and DUET3 already on issue as at the date of this instrument) or any shares in RE1, RE2 and DIHL (other than ordinary shares) are issued.

Dated this 23rd day of November 2012



Signed by Hassan Salem
as a delegate of the Australian Securities and Investments Commission

12-1636

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 655A(1)(b) and 673(1)(b) – Declarations**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 655A(1)(b) and 673(1)(b) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Instrument [12/1636].

Commencement

3. This instrument commences on 26 November 2012.

Declaration

4. Chapter 6 and Chapter 6C of the Act applies to Ecosave Holdings Limited ACN 160 875 016 (*Ecosave*) as if section 609 of the Act were modified or varied by adding after subsection (13), as notionally inserted by ASIC Class Order [CO 03/634] (*CO 03/634*):

"(14) A person does not have a relevant interest in its own securities merely because the company applies restrictions on the disposal of the securities by the holder.";

and Part 6C.1 of the Act were further modified or varied inserting the following section after 671BA, as notionally inserted by CO 03/634:

"671BB Escrow Agreements

For the purposes of section 671B and the definition of *substantial holding* in section 9, a person has a relevant interest in securities if the person would have a relevant interest in the securities but for subsection 609(14)."

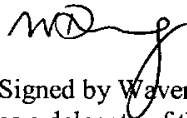
Where this instrument applies

5. This instrument applies to the acquisition of a relevant interest in up to 19,942,698 ordinary shares in Ecosave (*Escrowed Securities*) arising as a result of Ecosave entering into a voluntary escrow deed (*Escrow Arrangements*) with Growth & Value Investments Pty Limited ACN 097 640 358 as part of Ecosave's initial public offer and where the Escrow Arrangements:
 - (a) restrict disposal of, but not the exercise of voting rights attaching to, the Escrowed Securities;
 - (b) provide that the Escrow Arrangements terminate no later than 12 months after the holders of the Escrowed Securities are recorded in Ecosave's share register;

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- (c) allow the holder of the relevant Escrowed Securities to accept into a takeover bid where holders of at least half of the bid class securities to which the offer under which the bid relates and which are not subject to the Escrow Arrangements, have accepted the bid;
- (d) require the securities to be returned to escrow if the above bid does not become unconditional; and
- (e) allow the Escrowed Securities to be transferred or cancelled as part of a merger by way of a compromise or arrangement under Part 5.1 of the Act.

Dated this 26th day of November 2012



Signed by Waverley Duong,
as a delegate of the Australian Securities and Investments Commission



12-1637

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: thinkorswim Australia Pty Limited
ACN 128 900 774 ("the Licensee")
Level 34,
50 Bridge Street
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 332177 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 29 November 2012

Signed

A handwritten signature in black ink, appearing to be 'Joyce Krashow'.

Joyce Krashow, a delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities & Investments Commission

12-1638

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

Notice of Cancellation of an Australian Credit Licence

TO: Rick Damelian Pty. Limited
ACN 002 685 510 (the Licensee)
Last notified principal place of business:
680-716 Parramatta Road
PETERSHAM NSW 2049

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 393829 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 27/11/12

Signed

Jason Waite

A delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities & Investments Commission

12-1639

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

Notice of Cancellation of an Australian Credit Licence

TO: Hybrid Enterprises (NSW) Pty Ltd
ACN 123 742 076 (the Licensee)
Last notified principal place of business:
5 Cosmala Close
NEWINGTON NSW 2127

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 384874 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 27/11/12

Signed

Jason Waite

A delegate of the Australian Securities and Investments Commission

12-1640

**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) – Revocation and Exemptions**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 741(1)(a), 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 [12-1640].

Commencement

3. This instrument commences on the date of gazettal.

Revocation

4. This instrument revokes ASIC Instrument [11-0467].

Exemptions

5. WHL Energy Limited ACN 113 326 524 (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.
6. 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

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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 of 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.

- 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 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

- 8. 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

12-1640

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 employee" in paragraph 8 of the Interpretation;
 - (ii) "eligible offer" in paragraph 9 of the Interpretation; and
 - (iii) "offer document" in paragraph 15 of the Interpretation; and
- (b) would meet the requirements of the class order if the definition of an "eligible employee" in paragraph 8 of the Interpretation were to read:

"8. "eligible employee" means, in relation to the issuer, a person who is at the time of an eligible offer under the eligible incentive plan offer:

- (a) a full or part-time employee of the issuer or of an associated body corporate of the issuer; or
- (b) a director of the issuer, or of a related body corporate of the issuer, who holds a salaried employment or office in the issuer or in a related body corporate of the issuer; or

(c) a contractor which is:

(i) an individual that has:

- (A) performed work for the issuer, or a related body corporate of the issuer, for more than 12 months; and
- (B) received 80% or more of their income in the preceding year from the issuer or a related body corporate of the issuer; or

(ii) a company where each of the following are satisfied in relation to the company:

- (A) throughout the previous 12 months, the company has had a contract in place with the issuer, or a related body corporate of the issuer, for the provision of the services of an individual (the *contracting individual*) to the issuer or to a related body corporate of the issuer;
- (B) the contracting individual has performed work for the issuer, or a related body corporate of the issuer, for more than 12 months;

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- (C) the contracting individual has been the only member of the company for more than 12 months; and
 - (D) more than 80% of the aggregate income of the company and the contracting individual from all sources (other than from each other) in the preceding 12 months was received from the issuer or a related body corporate of the issuer; or
- (d) a casual employee who:
- (i) has been in employment with the issuer or an associated body corporate of the issuer for more than 12 months; and
 - (ii) the issuer or the associated body corporate of the issuer regards as equivalent to either a full or part-time employee; and
- (c) would meet the requirements of the class order if the definition of an “eligible offer” in paragraph 9 of the Interpretation were 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) options for the issue or transfer of shares referred to in paragraph (a) where each of the options is offered for no more than nominal consideration; or
 - (c) 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
- (d) 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 options, performance rights or the shares to which the options or performance rights relate:
- (i) the acquisition price in Australian dollars;

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- (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 options or 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
- (e) 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 can only rely on the exemptions in this instrument where the issuer complies with the conditions of the class order.

Interpretation

10. In this instrument:

eligible incentive plan offer means an offer for issue or sale of shares in the issuer, or of options or performance rights in relation to the shares, made under an arrangement known as the “WHL Energy Limited Incentive Option Scheme”, the terms of which are substantially in the same form as those provided to ASIC on 8 October 2012.

12-1640

Dated this 29th day of November 2012

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized, cursive representation of the name Yuki Kobayashi.

Signed by Yuki Kobayashi
as a delegate of the Australian Securities and Investments Commission



12-1641

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Duet Alternative Investments (Australia) Pty Ltd
ACN 099 290 418 ("the Licensee")
Level 33, 360 Collins Street
Melbourne, VIC 3000

Pursuant to section 915B of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Licence Number 222031 held by Duet Alternative Investments (Australia) Pty Ltd with effect from the date on which this notice is given to the Licensee.

Dated this 27 November 2012

Signed

Joyce Krashow, a delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities & Investments Commission

12-1642

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

Notice of Cancellation of an Australian Credit Licence

TO: GD Home Loans Pty. Ltd.
ACN 137 437 873 (the Licensee)
Last notified principal place of business:
17 Taylors Road
ABERFOYLE PARK SA 5159

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 385961 held by the Licensee, with effect from the date of this notice.

Dated 27/11/12

Signed

Jason Waite

A delegate of the Australian Securities and Investments Commission

12-1649

**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)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 12-1649.

Commencement

3. This instrument commences on the date of gazettal.

Exemptions

4. Rey Resources Ltd ACN 108 003 890 (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:

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- (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 of providing a custodial or depository service covered by subparagraph (ii);
 - (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 covered by paragraph 4 from Part 7.9 of the Act where:
- (a) a recommendation is made that a person (other than the issuer) 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:

12-1649

- (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) incentive rights in relation to shares referred to in paragraph (a), made under an employee share scheme as 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 15(c) and (d) were to read:
 - "(c) specifies in respect of the incentive rights or the shares to which the incentive 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 incentive rights relate; and
 - (ii) where sub-paragraph (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. "incentive right" means a right to acquire, by way of issue or transfer, cash or cash and a fully-paid share in the issuer in accordance with the terms set out in the eligible incentive plan offer".

Conditions

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

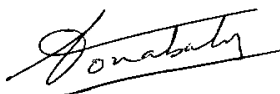
12-1649

Interpretation

9. In this instrument:

eligible incentive plan offer means the Rey Resources Executive Incentive Rights Plan, the terms of which are substantially in the same form as those provided to ASIC on 27 April 2012.

Dated this 27th day of November 2012



Signed by Tashreen Tourabaly
as a delegate of the Australian Securities and Investments Commission

12/1651

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument [12/1651].

Commencement

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

Declaration

4. Chapter 5C of the Act applies to Asia Pacific Data Centre Limited ACN 159 624 585 (*APDC*) in its capacity as the responsible entity of Asia Pacific Data Centre Trust ARSN 161 049 556 (the *scheme*) as if the following provisions of that Chapter were modified or varied:

- (a) after section 601FE insert:

“601FEA Modification of duties: stapled securities

- (1) This section applies to a registered scheme where the interests in the scheme and shares in a company are components of stapled securities.
 - (2) For the purposes of paragraphs 601FC(1)(c) and 601FD(1)(c), an obligation to act in the best interests of the members of the scheme is an obligation to act in the best interests of the members of the scheme having regard to their interests as members of the scheme and of the company.
 - (3) For the purposes of paragraphs 601FC(1)(e), 601FD(1)(d) and 601FD(1)(e), and subsection 601FE(1), an obligation to not make use of information, or not make improper use of position, in order to cause detriment to the members of the scheme is an obligation not to do those things in order to cause detriment to the members of the scheme having regard to their membership of both the scheme and the company.”;
- (b) in section 601GAA as notionally inserted by ASIC Class Order [CO 05/26]:
 - (i) in subsection (1) omit “subsections (2) to (8).”, substitute “subsections (2) to (8) and (9A).”;
 - (ii) after subsection (9) insert:

12/1651

“(9A) The responsible entity may set the issue price of interests in the scheme that are components of stapled securities where all of the following apply:

- (a) the constitution makes provision for the issue price of stapled securities;
- (b) the constitution provides that the responsible entity may allocate a proportion of the issue price of the stapled securities to the interests in the scheme;
- (c) the stapled securities are issued at a price, or in accordance with a formula or method that is to be used to calculate the issue price of stapled securities, which is set out in the constitution;
- (d) the responsible entity allocates a proportion of the issue price of the stapled securities to the interests in accordance with the constitution.”;

(c) after subsection 208(2) as notionally inserted by section 601LC, insert:

“(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if all the following conditions are satisfied:

- (a) the benefit either:
 - (i) is given out of the scheme property of a registered scheme; or
 - (ii) could endanger the scheme property;
- (b) all of the interests in the scheme and all of the shares in a company are components of stapled securities;
- (c) the benefit is given by:
 - (i) the responsible entity of the scheme; or
 - (ii) an entity that the responsible entity controls; or
 - (iii) an agent of, or person engaged by, the responsible entity;
- (d) the benefit is given to:
 - (i) an entity wholly owned, whether directly or indirectly, by the scheme; or

12/1651

- (ii) the company or an entity that is wholly owned, whether directly or indirectly, by the company; or
- (iii) an entity wholly owned, whether directly or indirectly, jointly by the scheme and the company.

(2B) For the purposes of this section:

- (a) an entity is wholly owned by another entity if all of the shares or interests (as applicable) in the first-mentioned entity are held by, or held by a nominee for (in the case of the second-mentioned entity being a company), or form part of the trust property of (in the case of the second-mentioned entity being a trust), the second-mentioned entity or a wholly owned entity of it; and
 - (b) a reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries.”;
- (d) insert after section 601PC:

“601PD Stapled securities

For the purposes of this Chapter:

stapled securities means two or more financial products including at least one interest in a registered scheme where:

- (a) under the terms on which each of the products are to be traded, they must be transferred together; and
- (b) there are no financial products in the same class as those financial products which may be transferred separately.”.

Where this declaration applies

4. This declaration applies where each interest in the scheme must, under the terms upon which it is to be traded, only be transferred with a share in Asia Pacific Data Centre Holdings Limited ACN 159 621 735.

Dated this 28th day of November 2012



Signed by Paul Woodburn
as a delegate of the Australian Securities and Investments Commission

12-1655

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 655A(1)(b) and 673(1)(b) – Declarations**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 655A(1)(b) and 673(1)(b) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Instrument [12/1655].

Commencement

3. This instrument commences on 28 November 2012.

Declaration

4. Chapter 6 and Chapter 6C of the Act applies to Ecosave Holdings Limited ACN 160 875 016 (*Ecosave*) as if section 609 of the Act were modified or varied by adding after subsection (13), as notionally inserted by ASIC Class Order [CO 03/634] (*CO 03/634*):

"(14) A person does not have a relevant interest in its own securities merely because the company applies restrictions on the disposal of the securities by the holder.";

and Part 6C.1 of the Act were further modified or varied inserting the following section after 671BA, as notionally inserted by CO 03/634:

"671BB Escrow Agreements

For the purposes of section 671B and the definition of *substantial holding* in section 9, a person has a relevant interest in securities if the person would have a relevant interest in the securities but for subsection 609(14)."

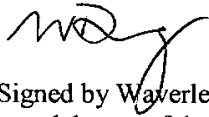
Where this instrument applies

5. This instrument applies in the circumstances set out in paragraph 5 of ASIC Instrument [12/1636] where Ecosave meets all the requirements of ASIC Instrument [12/1636] except sub-paragraph 5(b), and would meet sub-paragraph 5(b) of ASIC Instrument [12/1636] if that sub-paragraph were to read:

"(b) provide that the Escrow Arrangements terminate no later than 12 months from the date on which the securities of Ecosave is admitted to quotation on the ASX;"

12-1655

Dated this 28th day of November 2012



Signed by Waverley Duong,
as a delegate of the Australian Securities and Investments Commission

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NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001

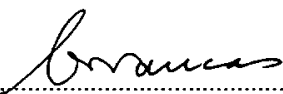
Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 27 November 2012

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**IN THE MATTER OF MARK BOOTY****BANNING ORDER UNDER SECTIONS 920A AND 920B
OF THE CORPORATIONS ACT 2001**

To: Mark Booty

Under sections 920A(1) and 920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits **MARK BOOTY** from providing any financial services permanently.

Dated this 16th day of November 2012

Signed: 

Casandra Francas

as a delegate of the Australian Securities and Investments Commission

Your attention is drawn to subsection 920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of subsection 920C(2) is an offence.

CORPORATIONS ACT 2001
Section 601CL(5)

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

Dated this thirtieth day of November 2012

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

ADROITENT ITES PRIVATE LIMITED	149 194 598
BUSINESS BUILDING SYSTEMS (AUSTRALIA) LIMITED	106 479 172
CHRYSLER INTERNATIONAL SERVICES S.A.	064 321 062
GILAT SATELLITE NETWORKS (HOLLAND) B.V.	085 207 745
IAWL LTD.	145 808 091
MER - MARKETING & EVENT REPUBLIC, E.K.	152 310 793
NEAL ANDREWS AND ASSOCIATES LIMITED	112 085 391
S&W HANDLING LOGISTICS SERVICES LIMITED	145 391 028
TATA INDUSTRIES LIMITED	102 962 756

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 thirtieth day of November 2012

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
AH (NO.1) LIMITED	147 383 631
BANK HAPOALIM B.M.	105 868 924
BRIDGEWATER SYSTEMS CORPORATION	119 024 047
BUBBLE DOME LIMITED	143 223 072
CROAKYBILL LIMITED	141 530 805
CXC DOWNUNDER LIMITED	137 480 632
DEBTORINFO LIMITED	138 876 589
EQUITY PARTNERS ASSET MANAGEMENT LIMITED	126 152 770
EQUITY PARTNERS INFRASTRUCTURE MANAGEMENT LIMITED	126 152 896
F C E SYSTEMS (N.Z.) LIMITED	144 733 157
FIXXED LIMITED	145 097 945
GREEN NUTRITION LIMITED	124 351 837
GREENS INDUSTRIES AUSTRALIA LTD	064 059 356
HEALTHLINK INTERNATIONAL LIMITED	137 931 036
ICAM INTERIORS LIMITED	091 716 013
INGEN LIMITED	108 972 336
JMF IMPORTS LIMITED	146 021 392
KIWI FOUR NEW ZEALAND LIMITED	145 680 137
KRAFT CANADA INC.	147 761 484
MARITIMENZ LIMITED	133 153 241
MWELLA LIMITED	138 464 552
NATHANS FINANCE NZ LIMITED	117 319 909
NATIONAL GUARD SERVICE LIMITED	143 992 894
NEW ZEALAND BLOOM LIMITED	139 181 070
OLIVADO INTERNATIONAL LIMITED	112 986 491
POCKETWEB LIMITED	132 480 641
ROBUCK SECURITY SERVICES LIMITED	126 697 201
SGH SUNSHINE LIMITED	127 992 858
SILVERSTONE RESIDENTIAL LIMITED	130 457 591
SMOOTHPAY LIMITED	140 534 023
TAMAKI EDUCATION AND SPORTS SOCIETY INCORPORATED	147 687 590

Name of Company**ARBN**

TARGET TECHNOLOGY LIMITED	144 641 896
THE BRITISH BROADCASTING CORPORATION	002 852 959
TMS SUNSHINE LIMITED	127 992 812
VIBRYNT, INC.	158 546 895
ZIWI ONLINE LIMITED	146 632 037
1601481 LIMITED	122 764 005

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 thirtieth day of November 2012

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme

ARSN

BASIS AUST-RIM DIVERSIFIED FUND
BASIS YIELD FUND

099 160 095
107 898 948

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 thirtieth day of November 2012

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme

ARSN

BLUE TOWER TRUST

109 093 852

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.

FULCRUM CAPITAL PARTNERS LTD ACN 072 005 479 will change to a proprietary company limited by shares. The new name will be **FULCRUM CAPITAL PARTNERS PTY LTD** ACN 072 005 479.

MAYFAIR AUSTRALIA LIMITED ACN 130 161 778 will change to a proprietary company limited by shares. The new name will be **MAYFAIR AUSTRALIA PTY LTD** ACN 130 161 778.

PSAL LIMITED ACN 118 825 120 will change to a proprietary company limited by shares. The new name will be **PSAL PTY LTD** ACN 118 825 120.

GOLDVIEW CORPORATION PTY LTD ACN 079 580 055 will change to a public company limited by shares. The new name will be **GOLDVIEW METALS LIMITED** ACN 079 580 055.

NINE ENTERTAINMENT CO. HOLDINGS PTY LIMITED ACN 122 203 892 will change to a public company limited by shares. The new name will be **NINE ENTERTAINMENT CO. HOLDINGS LIMITED** ACN 122 203 892.

SIERRA MORENA EXPLORATION PTY. LTD. ACN 161 147 235 will change to a public company limited by shares. The new name will be **SIERRA MORENA EXPLORATION LIMITED** ACN 161 147 235.