



ASIC

Australian Securities &
Investments Commission

Commonwealth of Australia Gazette

No. A20/13, Tuesday, 7 May 2013

Published by ASIC

ASIC Gazette

Contents

Notices under Corporations Act 2001

13-0400	13-0496	13-0498	13-0506	13-0507
13-0513	13-0540	13-0542	13-0545	13-0546
13-0549	13-0550	13-0551	13-0553	13-0554
13-0555	13-0556	13-0558	13-0559	13-0560
13-0564	13-0565	13-0566	13-0567	13-0568
13-0569	13-0570	13-0571	13-0572	13-0573

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.

ISSN 1445-6060 (Online version)
ISSN 1445-6079 (CD-ROM version)

Available from www.asic.gov.au
Email gazette.publisher@asic.gov.au

© Commonwealth of Australia, 2013

This work is copyright. Apart from any use permitted under the *Copyright Act 1968*, all rights are reserved. Requests for authorisation to reproduce, publish or communicate this work should be made to: Gazette Publisher, Australian Securities and Investment Commission, GPO Box 9827, Melbourne Vic 3001

13-0400

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 259C(2) – Exemption**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 259C(2) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument [13-0400].

Commencement

3. This instrument commences on the date of signing.

Exemption

4. Pepper Group (Singapore) Pte Ltd (*Pepper Singapore*), a company incorporated under the laws of Singapore, is exempt from the operation of subsection 259C(1) of the Act.

Where this instrument applies

5. Subject to paragraphs 6 and 7 of this instrument, this exemption applies to the transfer of ordinary shares in Pepper Singapore by its members to Pepper Australia Pty Ltd ACN 094 317 665 (*Pepper Australia*) in the circumstances where:
 - (a) immediately prior to the transfer, Pepper Singapore is a shareholder of Pepper Australia;
 - (b) Pepper Australia, as consideration for the transfer, issues ordinary shares in Pepper Australia to those members of Pepper Singapore;
 - (c) the number of ordinary shares in Pepper Australia issued to each member of Pepper Singapore is such that each of those members' direct ownership percentages in Pepper Australia after the issue is the same as their indirect ownership percentage in Pepper Australia when that member held shares in Pepper Singapore; and
 - (d) following completion of the transfer and share issue contemplated above, the shares held by Pepper Singapore in the capital of Pepper Australia are cancelled by way of selective capital reduction.
6. This exemption does not apply unless Pepper Singapore has given to ASIC a deed for the benefit of, and enforceable by, ASIC, which provides for terms substantially the same as those provided to ASIC on 3 April 2013.

13-0400

7. This exemption does not apply unless Pepper Australia has given to ASIC a deed for the benefit of, and enforceable by, ASIC, which provides for terms substantially the same as those provided to ASIC on 3 April 2013.

Cessation

8. This exemption ceases to have effect if the actions contemplated by paragraph 5 of this instrument are not completed within 3 months of the date of this instrument.

Dated this 16th day of April 2013



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

13-0496

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13/0496.

Commencement

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

Declaration

4. Chapter 5C of the Act applies to Asgard Capital Management Limited ABN 92 009 279 592 (the *responsible entity*) in its capacity as responsible entity of Asgard Elements Investment Accounts ARSN 088 579 622; and the Beacon Investment Funds Account ARSN 091 410 981 (the *schemes*) as if section 601FL were modified or varied as follows:

- (a) in subsection (1) omit all the text after the word “it”, substitute:

“must either:

- (a) call a members’ meeting to explain its reason for wanting to retire and to enable the members to vote on a resolution (which must be an extraordinary resolution if the scheme is not listed) to choose a company to be the new responsible entity; or
- (b) propose a related body corporate of the responsible entity to be the new responsible entity in accordance with subsection (1A).”;

- (b) after subsection (1) insert:

“(1A) The requirements for proposing a related body corporate (the *proposed responsible entity*) to be the new responsible entity are as follows:

- (a) The responsible entity must give members of the scheme notice of a proposal to choose the proposed responsible entity, to be the schemes’ new responsible entity.
- (b) The notice to members must:

13-0496

- (i) set out the following information:
 - (A) the responsible entity's reasons for wanting to retire;
 - (B) such information as can reasonably be expected to be material to a member in forming a view as to the choice of the proposed responsible entity;
 - (C) information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur;
 - (D) how members can access on the responsible entity's website current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur; and
 - (ii) state prominently that if:
 - (A) members who together hold at least 5% of the total value of the interests held by members; or
 - (B) 100 members,

who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a), ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity within 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and
 - (iii) be accompanied by a form which can be ticked to ask for a vote; and
 - (iv) state prominently a reply paid address of the responsible entity to which the form may be sent.
- (c) The responsible entity must prominently disclose on its website current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur.
 - (d) If sufficient members ask for a vote in accordance with the notice, the responsible entity must arrange for a postal vote or,

13-0496

if the responsible entity chooses, convene a meeting in accordance with Part 2G.4 to vote on the choice of the proposed responsible entity as soon as possible.

- (e) If there is a postal vote:
 - (i) a voting paper must be sent to each member stating a reply paid address of the responsible entity to which the voting paper may be sent; and
 - (ii) the responsible entity must notify the members in, or in a document accompanying, the voting paper that:
 - (A) the proposed responsible entity will be chosen as the new responsible entity if at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the choice; and
 - (B) only votes received by the responsible entity within 28 days after the sending of the voting paper will be counted.
- (f) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed.”;

- (c) after subsection (2) insert:

“(2A) If a postal vote is arranged under paragraph (1A)(d) and at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the proposed responsible entity, that entity is taken for the purposes of subsection (2) to have been chosen by a resolution of members on the last day on which postal votes may be received in order to be counted.

- (2B) If:

- (a) a related body corporate is proposed to be the new responsible entity in accordance with subsection (1A); and
- (b) insufficient members ask for a vote to choose the entity in accordance with the notice referred to in paragraph (1A)(b); and
- (c) the entity has consented in writing to becoming the scheme’s responsible entity,

then:

13-0496

- (d) as soon as practicable and in any event within 2 business days after the end of the period in which a member may ask for such a vote, the current responsible entity must lodge a notice with ASIC asking it to alter the record of the scheme's registration to name the proposed responsible entity as the scheme's responsible entity; and
- (e) the notice must be accompanied by a certificate from the current responsible entity that it reasonably considers that the appointment of the proposed responsible entity would be in the best interests of members with a summary of the responsible entity's reasons as to why this is the case; and
- (f) unless ASIC reasonably believes that the appointment of the proposed responsible entity would not be in the best interests of members, ASIC must comply with the notice as soon as practicable after the notice and summary are lodged."

Where this declaration applies

- 5. This declaration applies where BT Funds Management Limited ABN 63 002 916 458 has consented in writing to becoming the new responsible entity of the schemes.
- 6. This declaration ceases to apply on 23 June 2013.

Dated this 23 day of April 2013



Signed by Jonathan Hatch
as a delegate of the Australian Securities and Investments Commission

13-0498

**Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 926A(2)(c) and 992B(1)(c) —
Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission makes this instrument under paragraphs 926A(2)(c) and 992B(1)(c) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument [13/0498].

Commencement

3. This instrument commences on 29 April 2013.

Declaration

4. Part 7.6 (other than Divisions 4 and 8) of the Act applies in relation to IG Markets Limited ARBN 099 019 851 (*IG Markets*) as if that Part were modified or varied by omitting section 912AB.

Note: Section 912AB is notionally inserted into the Act by ASIC Class Order [CO 12/752].

5. Part 7.8 of the Act applies in relation to IG Markets as if that Part were modified or varied as follows:

- (a) omit section 981D;
- (b) after subsection 989B(3) insert:

“(4) The licensee must, with the statement and balance sheet mentioned in subsection (1), lodge with ASIC:

- (a) a profit and loss statement for each financial year of the licensee for the financial services business carried on in this jurisdiction by IG Markets and its related bodies corporate;
- (b) a statement setting out, as at the end of each financial year:
 - (i) the amount of money to which Subdivision A of Division 2 of this Part applies held by the licensee in connection with the financial services business it carries on in this jurisdiction; and

2

13-0498

- (ii) the amount of property to which Division 3 of this Part applies held by the licensee in connection with the financial services business it carries on in this jurisdiction.”

6. This instrument applies for so long as IG Markets is regulated by the Financial Conduct Authority of the United Kingdom and subject to the Prudential Standards for Investment Firms contained in the FCA Handbook.

Dated this 29 day of April 2013



Adam Coleman
as a delegate of the
Australian Securities and Investments Commission

13-0506

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by ASIC Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

Schedule

Fundhost Limited ACN 092 517 087 in its capacity as responsible entity for the Clarity Multi Strategy Fund ARSN 163 233 378.

Dated this 24th day of April 2013.



Signed by James Bertram
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

13-0507

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Aracapital Pty Ltd
ACN 111 561 249 ("the Licensee")
Last notified principal place of business:
Unit 4, 2 Bardsley Gardens
NORTH SYDNEY NSW 2060

Pursuant to section 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 296472 held by the Licensee, with effect from the date of this notice.

Dated *20th April 2013*

Signed

[Signature]
Joyce Krashow
A delegate of the Australian Securities and Investments Commission



13- 0513

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: A S S E T Ltd
ACN 003 257 190
c/- CareSuper
Level 9, 25 Bligh Street
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 230070 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 29 April 2013

Signed

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



13-0540

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: FxPro (Australia) Pty Ltd
ACN: 143 740 603 ("the Licensee")
c/- 'BDO' U 19, 2 Market Street
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 405750 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 26 April, 2013.

Signed

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

13-0542

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument [13-0542].

Commencement

3. This instrument commences on gazettal.

Exemptions

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

13-0542

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

Where this instrument applies

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

13-0542

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

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

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

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

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

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

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

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

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

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

13-0542

equivalent of that price were the formula applied at the date of the eligible offer; and

- (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which an eligible employee may acquire the shares, within a reasonable period of the employee requesting, make available to the employee:
 - (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of the shares to which the performance rights relate; and
 - (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date.”; and
 - (iv) in the Interpretation, the following definition were inserted:
 - “16A. “performance right” means a conditional right:
 - (a) to be issued a fully-paid ordinary share in the capital of the issuer; or
 - (b) to receive a cash amount equivalent to the value of a fully-paid ordinary share in the capital of the issuer; or
 - (c) either to be issued a fully-paid ordinary share in the capital of the issuer or to receive a cash amount equivalent to the value of such a share;
- where the performance right is offered for no monetary consideration.”.

Conditions

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

13-0542

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

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

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

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

Interpretation

10. In this instrument:

- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;
- (b) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the Legislative Instruments Act 2003;
- (c) *eligible incentive plan offer* means an offer for the issue or sale of performance rights, made under an arrangement known as the Kimberly-Clark Corporation 2011 Equity Participation Plan (under which the performance rights are referred to as restricted share units and performance restricted stock units), the Australian Addendum and the Australian offer document, the terms of which are substantially in the same form as those provided to ASIC on 2 April 2013; and

13-0542

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

Dated this 24th day of April 2013



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

13-0545

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 601QA(1)(a) Variation**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0545.

Commencement

3. This instrument commences on gazettal.

Variation

4. ASIC Instrument 13-0496 dated 23 April 2013 is varied by:
 - (a) in paragraph 4, omitting "Asgard Elements Investment Accounts" and substituting "Asgard Investment Funds Account".

Dated this 26th day of April 2013



Signed by Jonathan Hatch
as a delegate of the Australian Securities and Investments Commission

13-0546

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0546.

Commencement

3. This instrument commences on 24 April 2013.

Declaration

4. Chapter 6D of the Act applies to Lion One Metals Limited ARBN 162 105 124 (*LOM*), a body incorporated in British Columbia, Canada, in relation to depositary interests that represent an equitable interest in its securities as if the following provisions were omitted, modified or varied by omitting subsections 707(3) and (4) 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:

(i) selling or transferring them; or

(ii) granting, issuing or transferring interests in, or options or warrants over, them;

and section 708 or 708A does not say otherwise.

- (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

5. This instrument applies in relation to an offer for the sale of securities in LOM where:
 - (a) those securities are CDIs are issued under the Avocet scheme (*CDIs*);
 - (b) subsection 708(17) of the Act applied to offers for the issue of the CDIs; and
 - (c) the circumstances and terms of issue of the CDIs are disclosed in the Avocet Scheme Explanatory Statement.

13-0546

Interpretation

6. In this instrument:

Avocet scheme means the Avocet Resources Limited scheme of arrangement announced on 21 December 2012.

CDI means securities issued by CDN for the purpose of enabling beneficial ownership of securities of a foreign body to be recorded in and transferred through CHESSE and being described in the operating rules of ASX Settlement Pty Limited as CHESSE Depository Interests or CDIs.

CDN means CHESSE Depository Nominees Pty Limited.

CHESSE means Clearing House Electronic Subregister System.

depository interests, in relation to the securities of a foreign body, means equitable interests issued for the sole purpose of enabling beneficial ownership of the securities to be recorded in and transferred through an electronic system.

foreign body means a body formed or incorporated outside of this jurisdiction.

Dated this 24th day of April 2013



Signed by Peter Francis Knight

as a delegate of the Australian Securities and Investments Commission

13-0549

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0549.

Commencement

3. This instrument commences on gazettal.

Exemptions

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

13-0549

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

Where this instrument applies

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

13-0549

- (i) 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 performance rights in relation to fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by the NASDAQ OMX stock exchange throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period made under an employee share scheme extended only to eligible employees of the issuer;” and

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

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

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

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

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

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

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

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

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

13-0549

equivalent of that price were the formula applied at the date of the eligible offer; and

- (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which an eligible employee may acquire the shares, within a reasonable period of the employee requesting, make available to the employee:
 - (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of the shares to which the performance rights relate; and
 - (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date.”; and
- (iv) in the Interpretation, the following definition were inserted:

“16A. “performance right” means a conditional right:

 - (a) to be issued a fully-paid ordinary share in the capital of the issuer; or
 - (b) to receive a cash amount equivalent to the value of a fully-paid ordinary share in the capital of the issuer; or
 - (c) either to be issued a fully-paid ordinary share in the capital of the issuer or to receive a cash amount equivalent to the value of such a share;

where the performance right is offered for no monetary consideration;”.

Conditions

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

13-0549

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

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

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

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

Interpretation

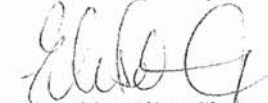
10. In this instrument:

- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;
- (b) *Australian Supplement* means the Australian offer document, Australian Addendum, Employee Information Supplement (Tax), Restricted Stock Unit Award Grant Notice – Non-US Holders, Restricted Stock Unit Award Agreement – Non-US Holders (including the Addendum for Australia) and the US Prospectus applicable to the Life Technologies Corporation 2009 Equity Incentive Plan and the Life Technologies Corporation 2013 Equity Incentive Plan;
- (c) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the Legislative Instruments Act 2003;

13-0549

- (d) *eligible incentive plan offer* means an offer for the issue or sale of performance rights, made under an arrangement known as the Life Technologies Corporation 2009 Equity Incentive Plan and the Life Technologies Corporation 2013 Equity Incentive Plan (under which the performance rights are referred to as restricted stock units) and the Australian Supplement the terms of which are substantially in the same form as those provided to ASIC on 28 March 2013; and
- (e) *issuer* means Life Technologies Corporation, a foreign company incorporated under the laws of the State of Delaware of the United States of America and any related body corporate.

Dated this 29th day of April 2013



Signed by Elise Chung

as a delegate of the Australian Securities and Investments Commission

13-0550

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 27 March 2013.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**NOTICE OF SUSPENSION OF AUSTRALIAN FINANCIAL SERVICES
LICENCE**

To: C2 Capital Pty Ltd
65 Hay Street
PERTH WA 6008

Under s915C(1) of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby suspends Australian financial services licence number 345888 held by C2 Capital Pty Ltd ACN 132 007 893 until 31 July 2013.

Dated this 26th day of March 2013



Signed by Casandra Francas,
as a delegate of the Australian Securities and Investments Commission

13-0551



Australian Market Licence (Asia Pacific Exchange Limited) Variation Notice 2013 (No. 1)

Corporations Act 2001

I, BERNIE RIPOLL, Parliamentary Secretary to the Treasurer, make this Variation under section 796A of the *Corporations Act 2001* (the Act).

Dated 22.4.2013

Parliamentary Secretary to the Treasurer

1. Name of variation

This variation is the *Australian Market Licence (Asia Pacific Exchange Limited) Variation Notice 2013 (No. 1)*.

2. Commencement

This Variation commences on the day it is published in the *Gazette*.

3. Variation

The Schedule varies the Australian Market Licence (Asia Pacific Exchange Limited) 2004 (as varied by Australian Market Licence (Australia Pacific Exchange Limited) Variation Notice 2009 (No. 1) and Australian Market Licence (Asia Pacific Exchange Limited) Variation Notice 2010 (No. 1)).

Schedule Variation**13 - 0551****[1] Section 3**

Insert four new definitions after "APX"

cash means current assets valued at the amount of cash for which they can be expected to be exchanged within five business days.

cash flows are inflows and outflows of cash.

cash flow positive means the total cash inflows less the total cash outflows is greater than zero.

Insert new definition after "Division 3 arrangements"

eligible financial provider means an Australian ADI or an entity that is approved for the purposes of sections 13 and 14 by ASIC in writing and that is:

- (a) a foreign deposit-taking institution; or
- (b) an entity of undoubted financial substance.

Insert three new definitions after "fidelity fund"

net tangible assets or **NTA** has the same definition as in ASIC Pro Forma 209 Australian Financial Services Licence Conditions (**PF 209**) as reissued by ASIC in November 2012, and terms used in that definition also have the same definition as in PF 209.

quarter means a period of three months, ending on 31 March, 30 June, 30 September and 31 December, in each year during which the market operates.

Service Provider means any related entity appointed by APX to provide services for the administration of APX's affairs and finances.

Substitute, Note 2

Note 2 A number of expressions used in this Licence are defined in section 761A of the Act, including **Australian financial services licence, licensed market, managed investment product, participant and security**.

[2] Section 10

Omit the section

[3] Sections 13 and 14

Insert new sections after section 12

13 - 0551

13. Conditions which must be satisfied before APX operates the market

- (1) APX must not operate the market unless all of the following are satisfied:
 - (a) the documents and information referred to in sections 13(2) to 13(6) are given to ASIC, dated not more than 30 days before being given to ASIC;
 - (b) ASIC has confirmed to APX in writing that the conditions set out in sections 13(2) to 13(6) are satisfied;
 - (c) 14 days have elapsed after the confirmation mentioned in paragraph 13(1)(b) was given.
- (2) APX must give to ASIC a written confirmation by a person approved by ASIC and engaged on terms and conditions acceptable to ASIC, including as to the scope of the person's work:
 - (a) of the adequacy of APX's governance framework for testing technology systems;
 - (b) verifying that prospective participants and data vendors, if any, have attested they are operationally ready for the commencement of the market;
 - (c) of the adequacy and results of APX's testing of its technology systems, including testing of all necessary external connections which APX needs to have in place to operate the market, according to the governance framework.
- (3) APX must give to ASIC, in writing:
 - (a) a projection of cash flows for each of the first 12 months of operation of the market for:
 - (i) APX; and
 - (ii) any Service Provider, to the extent that the cash flows of the Service Provider constitute payments in respect of the administration of APX's affairs and financesbased on the reasonable estimate of APX and any Service Provider of what is likely to happen over that period;
 - (b) the calculations and assumptions used for preparing the projections referred to in paragraph 13(3)(a), including a description of why the assumptions relied upon are the appropriate assumptions; and
 - (c) evidence that APX, and not its Service Provider, holds an amount of cash that is no less than the total of the first six monthly projected cash outflows provided under:
 - (i) paragraph 13(3)(a)(i) excluding cash outflows payable to any Service Provider in respect of the administration of APX's affairs and finances; and
 - (ii) paragraph 13(3)(a)(ii).

13-0551

- (4) APX must give to ASIC written evidence that an eligible financial provider has given APX an enforceable and unqualified commitment to pay on demand from time to time to:
- (a) APX and its Service Provider, an amount of cash that is sufficient to cover the total of the first six months projected cash outflows as calculated under paragraph 13(3)(a)(i) and (ii); or
 - (b) creditors or to a trustee for creditors of:
 - (i) APX; and
 - (ii) any Service Provideran amount for which APX or its Service Provider, to the extent that the cash flows of the Service Provider constitute payments in respect of the administration of APX's affairs and finances, is liable to those creditors at the time of the demand, not exceeding the amount referred to in paragraph 13(3)(c).
- (5) APX must confirm to ASIC in writing that it has employed or engaged all necessary people in all positions so that it has sufficient human resources to operate the market properly in accordance with its obligations under paragraph 792A(d) of the Act.
- (6) APX must give to ASIC written evidence of the source of funds for the Division 3 arrangements for the purposes of section 8.

14. Financial resources

- (1) From the date that APX commences to operate the market until APX's monthly cash flow, or the aggregated monthly cash flows of APX and any Service Provider in respect of the administration of APX's affairs and finances, is cash flow positive for each of the six consecutive months, APX:
- (a) must not transfer any funds to a related body corporate (other than to its Service Provider under any agreement for the provision of services for the administration of APX's affairs and finances or as part of trading fee rebates that may be due through trading on the market);
 - (b) must give ASIC for each quarter, and no later than 28 days after the end of each quarter, a report which contains:
 - (i) a statement of cash flows of:
 - A. APX;
 - B. any Service Provider, and
 - C. any Service Provider, to the extent that the cash flows are in respect of the administration of APX's affairs and finances.
 - (ii) a statement of financial position of:
 - A. APX; and
 - B. any Service Provider;
 - (iii) a projection of cash flows for the next 12 months of:

13 - 0551

- A. APX; and
 - B. any Service Provider, to the extent that the cash flows of the Service Provider constitute payments in respect of the administration of APX's affairs and finances
 - for each month within the period, based on APX and its Service Provider's reasonable estimate of what is likely to happen over that period; and
- (iv) a statement of the directors regarding whether APX continues to satisfy the requirements of paragraph 14(1)(c);
- (c) must have at all times:
- (i) based on the most recent projected cash flows provided to ASIC under paragraph 14(1)(b)(iii), an amount of cash no less than the total of the next six monthly projected cash outflows under:
 - A. paragraphs 14(1)(b)(iii)(A) excluding cash outflows payable to any Service Provider in respect of the administration of APX's affairs and finances; and
 - B. paragraph 14(1)(b)(iii)(B);
 - (ii) net tangible assets of an amount that is no less than the projected total cash outflows under paragraph 14(1)(c)(i);
 - (iii) an enforceable and unqualified commitment given to APX by an eligible financial provider to pay on demand from time to time to:
 - A. APX, an amount of cash that is sufficient to cover the total projected cash outflows of APX and its Service Provider as calculated under paragraph 14(1)(c)(i); or
 - B. creditors or to a trustee for creditors of:
 - (i) APX; and
 - (ii) any Service Provider
 - an amount for which APX or its Service Provider, to the extent that the cash flows of the Service Provider constitute payments in respect of the administration of APX's affairs and finances, is liable to those creditors at the time of the demand, not exceeding the amount referred to in paragraph 14(1)(c)(i);
- (d) as soon as practicable, must give written notice to ASIC if APX or its Service Provider:
- (i) considers its financial resources are insufficient to meet the requirements of paragraph 14(1)(c); or
 - (ii) funds are called upon for the commitment described in section 13(4) or paragraph 14(1)(c)(iii),
 - including a description of the circumstances that led to APX or its Service Provider having to give notice to ASIC under this paragraph and the measures, if any, that APX or its Service Provider is taking to obtain the financial resources necessary to meet the requirements of paragraph 14(1)(c); and

13-0551

- (e) must advise ASIC in writing within 10 business days of the commencement or cessation as a Service Provider of APX of:
- (i) the Service Provider's name and Australian Company Number;
and
 - (ii) the date of appointment or cessation as the Service Provider; and
 - (iii) provide a copy of any agreement between APX and the Service Provider.



13-0553

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: McKay Financial Planning Pty. Ltd.
ACN: 006 054 959 ("the Licensee")
3 Leawarra Crescent
Doncaster East VIC 3109

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 226527 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 29 April, 2013.

A handwritten signature in black ink, appearing to be 'JK' followed by a long horizontal stroke.

Signed

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



13-0554

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Wedgetail Asset Management Limited
ACN: 132 768 382 ("the Licensee")
c/- 'Parker Insolvency'
Level 15, 31 Market Street
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 331088 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 2 May, 2013.

Signed

A handwritten signature in black ink, appearing to be 'Joyce Krashow', written over a dotted line.

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



13-0555

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: The Liquidators
Australian Financial Services Limited (In Liquidation)
ACN: 116 900 362 ("the Licensee")
c/- Level 14, 140 William Street
Melbourne VIC 3000

Pursuant to section 915B of the **Corporations Act 2001** ('the Act'), the Australian Securities and Investments Commission hereby cancels Australian financial services licence ('the Licence') number 297239 held by Australian Financial Services Limited. Pursuant to section 915H of the Act, the licence continues in effect, for the period of not more than twelve (12) months from the date of this notice, as though the cancellation had not happened for the purposes of:

- a) paragraph 912A(1)(g) of the Act to the extent that it requires Australian Financial Services Limited to maintain membership to an external dispute resolution scheme complying with paragraph 912A(2)(b) of the Act.

with effect from the date on which this notice is given to the Licensee.

Dated this 2nd May, 2013.

Signed

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

13-0556

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by ASIC Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

Schedule

Centuria Property Funds Limited ACN 086 553 639 in its capacity as the responsible entity of the Centuria 10 Spring Street Fund ARSN 163 325 586.

Dated this 29th day of April 2013,



Signed by Jonathan Hatch
as a delegate of the Australian Securities and Investments Commission

13-0558

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 741(1) – Declaration**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument [13-0558].

Commencement

3. This instrument commences on 30 April 2013.

Declaration

4. Chapter 6D of the Act applies to Drillsearch Energy Limited ACN 006 474 844 (*Drillsearch*) and Drillsearch (Finance) Pty Limited ACN 163 170 536 as if:
 - (a) in subparagraph (b)(ii) of the definition of ‘continuously quoted securities’ in section 9 of the Act as notionally modified by ASIC Class Order [CO 01/455] were further modified by, after “paragraph 741(1)(b)”, inserting “(other than ASIC Instrument [13-0558])”; and
 - (b) section 708A, as notionally modified by ASIC Class Order [CO 10/322], were further modified or varied as follows:
 - (i) omit paragraph (12C)(e), substitute with:

"the body that issued the convertible notes and the body that issued the relevant securities by reason of the conversion of the convertible notes jointly gave the relevant market operator a notice that complied with subsection (12D) on the same day as, or within 2 business days before, the first day on which the convertible notes were issued."; and
 - (ii) omit subsection (12E), substitute with:

"If a body jointly gives a notice under paragraph (12C)(e) in relation to convertible notes and that body will issue securities in the class of relevant securities on conversion of convertible notes, each financial report or directors' report required under section 298 of each body in relation to a financial year during which those convertible notes were on issue must contain the following information:
 - (a) the:
 - (i) number of convertible notes in that class that have not converted as at the end of the financial year;

13-0558

- (ii) number of securities in the class of relevant securities into which the convertible notes will convert;
 - (iii) price (if any) to be paid on conversion; and
 - (iv) circumstances in which conversion may occur; and
- (b) the remaining liability of the body to make payments under convertible notes in that class as at the end of the financial year;
 - (c) the average conversion price (if any) paid for any convertible notes in that class that were converted during the financial year and the number of securities in the class of relevant securities into which they converted; and
 - (d) any other matter relating to the convertible notes that holders of ED securities of the body would reasonably require to make an informed assessment of the financial position of the body and its prospects for future financial years."

Where this instrument applies

- 5. This instrument applies in relation to the offer for sale of securities in Drillsearch made in reliance on subsection 708A(12C) of the Act, as further modified or varied in this instrument, where those securities were issued by reason of the conversion of the convertible notes issued by Drillsearch (Finance) Pty Limited in May 2013 on substantially the same terms as those provided to ASIC on 30 April 2013.

Dated this 30th day of April 2013



Signed by Jerry Pearson
as a delegate of the Australian Securities and Investments Commission



13-0559

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Mason Stevens Asset Management Pty Limited
ACN 069 774 456 (the Licensee)
Level 18, 1 Macquarie Place
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 244249 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 2nd May 2013

Signed

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a long horizontal stroke. Below the signature is a dotted line indicating the signature line.

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



13-0560

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Eminance Pty Ltd
ACN 120 559 177 (the Licensee)
13 Dyer Road
Coffs Harbour NSW 2450

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 305031 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 2nd May 2013

A handwritten signature in black ink, appearing to be 'Joyce Krashow', written over a dotted line.

Signed

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

13-0564

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by ASIC Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

Schedule

IPAC Asset Management Limited ACN 003 257 225 in its capacity as the responsible entity of the North Managed Volatility Growth Fund ARSN 163 411 274.

Dated this 1st day of May 2013.



Signed by Andrew Mitchell
as a delegate of the Australian Securities and Investments Commission

13-0565

**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 [13-0565].

Commencement

3. This instrument commences on gazettal.

Exemptions

4. The issuer does not have to comply with Parts 6D.2, 6D.3 (except section 736) and 7.9 of the Act where the issuer:
 - (a) makes an eligible incentive plan offer;
 - (b) offers to arrange for the issue of financial products under an eligible incentive plan offer; or
 - (c) issues a financial product under an eligible incentive plan offer;on the conditions set out in this instrument and for so long as the conditions are met.
5. Where the issuer is exempt from Parts 6D.2, 6D.3 and 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
 - (a) a financial service consisting of general advice reasonably given in connection with the eligible incentive plan offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement to the effect that any advice given by the issuer in connection with the offer is general advice only, and that employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice;
 - (b) a custodial or depositary service in connection with an eligible incentive plan offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;

13-0565

- (c) dealing in a financial product in the course of providing a custodial or depository service covered by paragraph (b);
 - (d) issuing a financial product under an eligible incentive plan offer covered by paragraph 4 of this instrument; and
 - (e) dealing in a financial product in connection with an eligible incentive plan offer where any acquisition by purchase or disposal of the product by the issuer occurs either:
 - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
 - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
6. The trustee is exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
- (a) the provision of a custodial or depository service in connection with an eligible offer covered by the exemption in paragraph 4 where the provider of the service performs their duties in good faith and has sufficient resources to perform those duties;
 - (b) dealing in a financial product in the course of providing a custodial or depository service covered by paragraph (a); and
 - (c) dealing in a financial product in connection with an eligible incentive plan offer covered by the exemption in paragraph 4 where any acquisition by purchase or disposal of the product by the trustee occurs either:
 - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
 - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place,
- for so long as the trustee complies with the conditions set out in this instrument as expressed to apply to them in that capacity.
7. Where the issuer is exempt from Part 6D.2 or 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer also does not have to comply with 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.
8. ASIC exempts a financial product that is the subject of an eligible incentive plan offer from Part 7.9 of the Act where:

13-0565

- (a) a recommendation is made by a person (other than the issuer) that a person to whom an eligible incentive plan offer has been made, acquire the financial product as a retail client; and
- (b) the person who made the recommendation is not aware, and ought not reasonably to be aware, that any of the conditions set out in this instrument have not been met;

but only in relation to the recommendation by the person.

Where this instrument applies

9. The exemptions in this instrument apply where the issuer:

- (a) meets the requirements (including, for the avoidance of doubt, definitions) of the class order, except where stated otherwise in paragraph 10 of this instrument and the definitions of:
 - (i) “eligible offer” in paragraph 9 of the Interpretation; and
 - (ii) “issuer” in paragraph 12 of the Interpretation; and
 - (iii) “offer document” in paragraph 15 of the Interpretation; and
- (b) would meet the requirements of the class order if:
 - (i) the definition of an “eligible offer” in paragraph 9 of the Interpretation were to read:
 - “9. “eligible offer” means an offer, made under an employee share scheme extended only to eligible employees of the issuer, for issue or sale of:
 - (a) fully-paid shares in an issuer; or
 - (b) ADRs in relation to fully-paid shares referred to in paragraph (a);
or
 - (c) options for the issue of fully-paid shares or ADRs referred to in paragraphs (a) or (b) where each of the options is offered for no more than nominal consideration; or
 - (d) performance rights in relation to ADRs referred to in paragraph (b),
where shares in an issuer and ADRs in relation to shares in an issuer have been respectively quoted on the London Stock Exchange and NASDAQ National Market throughout the 3 month period immediately before the offer without suspension for more than a total of 2 trading days during that period.

13-0565

- (ii) in the Interpretation, the following definition were inserted:
- “9A. “employee share scheme”, for a body corporate, means a scheme under which shares or ADRs (or options to acquire unissued shares or unissued ADRs or performance rights) in the body or a related body corporate may be acquired:
- (a) by, or for the benefit of:
 - (i) employees of the body, or of a related body corporate; or
 - (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate; or
 - (b) by a corporation all of whose members are:
 - (i) employees of the body, or of a related body corporate; or
 - (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate;”;
- (iii) in the definition of an “offer document” in paragraph 15 of the Interpretation, subparagraphs (c) and (d) were to read:
- “(c) specifies in respect of the shares or ADRs subject to the options, or ADRs to which the performance rights relate:
- (i) the acquisition price in Australian dollars;
 - (ii) where the acquisition price is specified in a foreign currency, the Australian dollar equivalent of that price at the date of the eligible offer; or
 - (iii) where the acquisition price is to be worked out in the future under a formula, the Australian dollar or Australian dollar equivalent of that price were the formula applied at the date of the eligible offer; and
- (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which an eligible employee may acquire the shares or ADRs, 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

13-0565

price) of the shares or ADRs in the same class as those 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

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

“16A. “performance right” means a conditional right to be issued or transferred an ADR where the performance right is offered for no monetary consideration;”; and

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

"16AB. "ADR" means an American Depositary Receipt representing a specified number of fully-paid ordinary shares;".

Conditions

- 10. The issuer can only rely on the exemptions in this instrument if the issuer complies with the following conditions:
 - (a) the conditions of the class order (excluding the conditions specified in paragraphs 1, 3 and 4 of the Schedule to the class order) as expressed to apply to them; and
 - (b) the person making the offer must:
 - (i) include that offer in an offer document; and
 - (ii) take reasonable steps to ensure that any eligible employee to whom the offer is made is given a copy of the offer document by electronic means; and
 - (iii) provide to ASIC a copy of the offer document (which need not contain details of the offer particular to the employee such as the identity or entitlement of the employee) and of each accompanying document not later than 7 days after the first provision of that material to an employee; and
 - (c) the issuer must take reasonable steps to ensure that the number of shares that may be issued in connection with an eligible incentive offer when aggregated with:
 - (i) the number of shares in the class which would be issued were every other outstanding offer with respect to shares, units of shares, options to acquire unissued shares or unissued ADRs, and performance rights under every other employee share scheme of the issuer to vest or to be accepted or exercised; and

13-0565

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

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

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

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

11. Where an eligible incentive plan offer may involve the issue or transfer of ADRs through a trust arrangement, the trustee can only rely on the exemption in paragraph 6 of this instrument if the trustee complies with the following conditions:
 - (a) the trustee must hold the ADRs on trust for the eligible employees who become entitled to acquire ADRs under an eligible incentive plan offer;
 - (b) the trustee must cause proper financial written records to be maintained in respect of the activities of the trust; and
 - (c) the trustee must not levy any fees or charges for operating and administering the trust that are payable directly by the eligible employees.

Declaration

12. Chapter 6D and Chapter 7 of the Act apply to the issuer and the trustee as if subsections 707(3), 707(4), 1012C(6) and 1012C(7) were omitted. This declaration applies to any sale offer of shares or ADRs 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 or ADRs.

13-0565

Interpretation

13. In this instrument:

- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 9 of this instrument in which case the word or phrase has that meaning;
- (b) *ADR* means an American Depositary Receipt representing a specified number of fully-paid ordinary shares in the issuer;
- (c) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the Legislative Instruments Act 2003;
- (d) *eligible incentive plan offer* means an offer for the issue or sale of options over fully-paid shares or ADRs and performance rights made under an arrangement known as the Restricted Stock Plan (under which performance rights are referred to as Awards), the WPP 2012 Worldwide Ownership Plan and the WPP 2012 Executive Stock Option Plan, the terms of which are substantially in the same form as those provided to ASIC on 20 March 2013;
- (e) *issuer* means WPP plc, a foreign company incorporated under the laws of the Jersey, and any related body corporate; and
- (f) *trustee* means Capita Trustee Services Limited, a foreign company incorporated under the laws of Jersey, or such other trustees appointed under a trust established pursuant to a trust deed entered into between the issuer and the trustee in connection with an eligible incentive plan offer where the terms of the trust deed are substantially in the same form as those provided to ASIC on 17 April 2013.

Dated this 1st day of May 2013

Signed by Nathania Nero
as a delegate of the Australian Securities and Investments Commission

13-0566

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by ASIC Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

Schedule

IPAC Asset Management Limited ACN 003 257 225 in its capacity as the responsible entity of the North Managed Volatility Balanced Fund ARSN 163 411 318.

Dated this 1st day of May 2013.



Signed by Andrew Mitchell
as a delegate of the Australian Securities and Investments Commission

13-0567

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by ASIC Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

Schedule

IPAC Asset Management Limited ACN 003 257 225 in its capacity as the responsible entity of the North Managed Moderately Defensive Fund ARSN 163 411 461.

Dated this 1st day of May 2013.



Signed by Andrew Mitchell
as a delegate of the Australian Securities and Investments Commission

13 - 0568

NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is hereby given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order, a copy of which is set out below, which order took effect on the date of service of the order on the person to whom it relates, being 29 April 2013.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**IN THE MATTER OF
ALL CLASS INSURANCE BROKERS PTY LTD ACN 095 825 513****SECTION 915B OF THE CORPORATIONS ACT 2001**

To: All Class Insurance Brokers Pty Ltd
ACN 095 825 513

**NOTICE CANCELLING AUSTRALIAN FINANCIAL SERVICES LICENCE
UNDER SECTION 915B OF THE CORPORATIONS ACT 2001**

TAKE NOTICE that under paragraph 915B(3)(b) of the Corporations Act 2001 the Australian Securities and Investments Commission cancels Australian financial services licence no. 222626 held by All Class Insurance Brokers Pty Ltd ACN 095 825 513.

Dated this 24th day of April 2013.

Signed: 
.....
Graeme Darcy Plath
Delegate of the Australian Securities and
Investments Commission

Your attention is drawn to subsection 911A(1) of the Corporations Act 2001 which provides that subject to this section, a person who carries on a financial services business in this jurisdiction must hold an Australian financial services licence covering the provision of the financial services and that a failure to comply with this subsection is an offence (see subsection 1311(1) of the Corporations Act 2001).

13 - 0569

NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001

Notice is hereby given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order, a copy of which is set out below, which order took effect on the date of service of the order on the person to whom it relates, being 29 April 2013.


AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**IN THE MATTER OF STEVEN FLEETWOOD****SECTIONS 920A AND 920B OF THE CORPORATIONS ACT 2001**

To: Mr James Florian Pearson

**ORDER UNDER SECTIONS 920A AND 920B OF THE
CORPORATIONS ACT 2001**

TAKE NOTICE that under paragraph 920A(1)(e) and section 920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits James Florian Pearson from providing any financial services for a period of three years.

Dated this 26th day of April 2013.

Signed: 
Graeme Darcy Plath
Delegate of the Australian Securities and
Investments Commission

Your attention is drawn to sections 920C and 1311 of the Corporations Act 2001 that provide that a person commits an offence if they engage in conduct that breaches a banning order that has been made against them (Penalty \$2,750 or imprisonment for 6 months or both).



13-0570

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Lightscope Nominees Pty Ltd
ACN 137 890 530 ("the AFS Licensee")
PO Box 1917
GERALDTON WA 6531

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 376026 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 2 May 2013.

Signed

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



13-0571

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Snow Financial Services Pty Ltd
ACN: 129 577 091 ("the Licensee")
22 Oak Street
Nerang QLD 4211

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 322654 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 2nd May, 2013.

Signed

A handwritten signature in black ink, appearing to be 'Joyce Krashow', written over a dotted line.

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



13-0572

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Clearing and Settlement Services Pty Ltd
ACN 002 296 933 ("the AFS Licensee")
PO Box 3716
AUSTRALIA FAIR QLD 4215

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 238796 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 2 May 2013.

Signed

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



13 - 0573

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Viterra Ltd
ABN 59 084 962 130 ("the Licensee")
123-130 South Terrace
ADELAIDE SA 5000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 247279 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 2 May 2013

Signed

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

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 third day of May 2013

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme

ARSN

MAHOGANY LAND TRUST	155 609 813
PREMIUM AFRICAN MAHOGANY 2012 PROJECT	155 610 414
VALAD PROPERTY TRUST	102 618 824
WEALTHCARE INVESTMENT SERVICE	101 619 621

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 third day of May 2013

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme**ARSN**

APGF PROPERTY SYNDICATE NO.4	103 224 880
CHEVIOT KIRRIBILLY VINEYARD PROPERTY TRUST	118 614 047
KIMSEED EUCALYPTS ESPERANCE 2000 PROJECT	092 405 797
KIRI PARK PROJECT	091 158 897
KIRI PARK PROJECT NO 2	096 225 400
KIRI PARK PROJECTS	107 747 348
MEMBERS EQUITY AUSTRALIAN SHARE FUND	097 876 509
MEMBERS EQUITY GROWTH FUND	097 876 876
MEMBERS EQUITY HIGH GROWTH FUND	097 876 830
MEMBERS EQUITY INCOME PLUS FUND	097 876 321
MEMBERS EQUITY INTERNATIONAL SHARE FUND	097 876 205
MEMBERS EQUITY PROPERTY FUND	097 876 778
MEMBERS EQUITY SECURE FUND	097 876 901

CORPORATIONS ACT 2001
Section 601CL(5)

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

Dated this third day of May 2013

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

JMF IMPORTS LIMITED

146 021 392

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.

ACER ENERGY LIMITED ACN 101 313 777 will change to a proprietary company limited by shares. The new name will be **ACER ENERGY PTY LIMITED** ACN 101 313 777.