



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette  
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# ASIC Gazette

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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](http://www.asic.gov.au) or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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13-0401

**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 13-0401.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to AMP Capital Investors Limited ACN 001 777 591 (the *responsible entity*) in its capacity as responsible entity of AMP Personalised Portfolio ARSN 131 208 841 (the *scheme*) 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 scheme’s new responsible entity.
    - (b) The notice to members must:

## 13-0401

- (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, if the responsible entity chooses, convene a meeting in

## 13-0401

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:

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- (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 NMMT Limited ACN 058 835 573 has consented in writing to becoming the new responsible entity of the scheme.
- 6. This declaration ceases to apply on 5 July 2013.

Dated this 5th day of April 2013



Signed by Therese Brabet  
as delegate of the Australian Securities and Investments Commission

13/0744

**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 varied a banning order in the terms set out below, which variation took effect on 7 June 2013


**AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION****IN THE MATTER OF MARTIN JAMES DONOHUE****NOTICE OF VARIATION OF BANNING ORDER UNDER SECTION 920D OF  
THE CORPORATIONS ACT 2001**

To: Martin James Donohue  
18 Willis St  
Prahran Vic 3181

**TAKE NOTICE** that under s920D of the Corporations Act 2001 the Australian Securities and Investments Commission **VARIES** the banning order made on 29 September 2003 prohibiting Martin James Donohue permanently from doing an act as a representative of a securities dealer or an investment adviser by omitting the word “permanently” and substituting “until 7 June 2013”.

Dated this 3<sup>rd</sup> day of June 2013

Signed: .....



John Mazurkiewicz  
Delegate of the Australian Securities &  
Investments Commission

13-0745

**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 (Act)*.

**Title**

2. This instrument is ASIC Instrument 13-0745.

**Commencement**

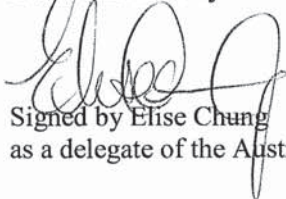
3. This instrument commences on 11 June 2013.

**Declaration**

4. Chapter 6D of the Act applies to ASX Limited ACN 008 624 691 (*ASX*) as if subsection 9A(4) (as notionally modified by ASIC Class Order [CO 08/35]) of the Act were modified or varied as follows:
  - (a) in paragraph 9A(4)(a) insert “(*first round exempt investors*)” after “some or all persons who are offered securities as an exempt investor”;
  - (b) in paragraph 9A(4)(e), omit “.”, substitute “; and”; and
  - (c) after paragraph 9A(4)(e), insert:
    - “(f) every person who is offered securities as a person who is not a first round exempt investor, but no other person who is offered securities, is entitled to trade rights to be issued with the person's securities during a period of time ending prior to the time by which the person may accept the offer.”

**Where this instrument applies**

5. This declaration applies to an offer by ASX of fully paid ordinary shares in ASX for issue to be made on or around 11 June 2013.

Dated this 11<sup>th</sup> day of June 2013

Signed by Elise Chung  
as a delegate of the Australian Securities and Investments Commission

13-0746

**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 and Revocation**

**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 13-0746.

**Commencement**

3. This instrument commences on gazettal.

**Revocation**

4. The instrument made under paragraphs 741(1)(a), 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the Act on 20 May 2013 and designated ASIC Instrument [13-0658] is revoked.

**Exemptions**

5. The issuer does not have to comply with Parts 6D.2, 6D.3 (except section 736) and Part 7.9 of the Act where the issuer:
  - (a) makes an eligible offer;
  - (b) offers to arrange for the issue of financial products under an eligible offer; or
  - (c) issues a financial product under an eligible offer;that does not involve a contribution plan, on the conditions set out in this instrument and for so long as the conditions are met.
6. Where the issuer is exempt from Part 6D.2 or Part 7.9 in relation to an eligible offer because of the exemption in paragraph 5, 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 offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement



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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 the eligible offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;
  - (c) dealing in a financial product in the course of providing a custodial or depositary service covered by paragraph (b);
  - (d) dealing in a financial product in connection with the eligible 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.
7. Where the issuer is exempt from Part 6D.2 or Part 7.9 in relation to an eligible offer because of the exemption in paragraph 5, the issuer also does not have to comply with sections 736 and 992A of the Act in relation to the eligible 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 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 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.

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**Where this instrument applies**

9. This instrument applies where the issuer:

- (a) meets the requirements (including, for the avoidance of doubt, definitions) of the class order, except the definition of “eligible offer” in paragraph 9 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 were to read:

“9. “eligible offer” means an offer of options for the issue of fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by ASX Limited ACN 008 624 691 (*ASX*) where each of the options is offered for no more than nominal consideration, and:

- (a) where the offer is made within 12 months of the issuer's securities being admitted to quotation on the financial market operated by ASX, throughout the 3 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; or
- (b) where the offer is made 12 months after the issuer's securities were admitted to quotation on the financial market operated by ASX, throughout the 12 month period immediately before the offer without suspension for more than 2 trading days during that period made under an employee share scheme extended only to eligible employees of the issuer”.

**Conditions**

10. The issuer can only rely on the exemptions in this instrument if the issuer complies with the conditions of the class order as expressed to apply to an issuer or the person making the offer.

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**Interpretation**

11. 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*; and
- (c) *issuer* means Virtus Health Limited ACN 129 643 492 and any related body corporate.

Dated this 11<sup>th</sup> day of June 2013

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

13/0748

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument [13/0748].

**Commencement**

3. This instrument commences on 11 June 2013.

**Exemption**

4. Steadfast Group Ltd ACN 073 659 677 (*Steadfast*) is exempt from compliance with subsection 734(2) of the Act.

**Where the exemption applies**

5. Subject to paragraph 8, this exemption applies to the following information communicated by Steadfast to its shareholders and their Nominees:
  - (a) information about the timetable for the Initial Public Offer, including updates to the timetable for the Initial Public Offer;
  - (b) information about the structure of the offers and the offer periods under the Initial Public Offer;
  - (c) information about the ways in which shareholders of Steadfast may participate in the Initial Public Offer including the process by which the shareholders of Steadfast may identify Nominees to be invited by Steadfast to apply for fully paid ordinary shares in Steadfast (including Reweighting Shares in accordance with the shareholder's entitlement to Reweighting Shares) and details of any escrow arrangements which may apply to fully paid ordinary shares in Steadfast held by a shareholder or a Nominee; and
  - (d) information alerting them to impending announcements about the Initial Public Offer.
6. Subject to paragraph 8, this exemption applies to the following information communicated by Steadfast to the Vendors and their Nominees:
  - (a) information about the timetable for the Initial Public Offer, including updates to the timetable for the Initial Public Offer;

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- (b) information about the structure of the offers and the offer periods under the Initial Public Offer;
  - (c) information about:
    - (i) the ways in which Vendors may participate in the Initial Public Offer, including the process by which a Vendor may identify Nominees to be invited by Steadfast to apply for fully paid ordinary shares in Steadfast in accordance with the Vendor's entitlement to elect to receive consideration which is payable to the Vendor for a Target in the form of fully paid ordinary shares in Steadfast and details of any escrow arrangements which may apply to fully paid ordinary shares in Steadfast to be held by a Vendor or a Nominee; and
    - (ii) how Vendors may change their elections regarding the proportion of the consideration payable to the Vendors for the Targets to be paid in the form of cash or fully paid ordinary shares in Steadfast;
- and
- (d) information alerting them to impending announcements about the Initial Public Offer.

7. Subject to paragraph 8, this exemption applies to the following information communicated by Steadfast to Employees:

- (a) information about the ways in which Employees may participate in the Initial Public Offer;
- (b) details of any employee share plan, employee option plan or employee incentive plan under which offers to Employees may be made at or about the same time as the Initial Public Offer;
- (c) information relating to:
  - (i) changes which may be made to the structure and administration of Steadfast at or about the same time as the Initial Public Offer, including the continuation of the business of a Target, any major changes to be made to the business of a Target and the future employment of Employees;
  - (ii) the appointment of management and executive officers of Steadfast; and
  - (iii) the timetable for the Initial Public Offer, including updates to the timetable of the Initial Public Offer;

and

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- (d) information alerting them to impending announcements about the Initial Public Offer.

### Conditions

8. This exemption does not apply if, in communicating any of the information set out in paragraphs 5, 6 and 7 of this instrument, Steadfast communicates any advantages, benefits or merits of the Initial Public Offer.

### Cessation

9. This exemption shall remain effective, unless otherwise revoked, until the earlier of:
- (a) the date on which Steadfast lodges a prospectus for the Initial Public Offer with ASIC; or
  - (b) 30 September 2013.

### Interpretation

10. In this instrument:

*Employees* means employees of Targets or Steadfast and their subsidiaries;

*Initial Public Offer* means the proposed initial public offer of fully paid ordinary shares in Steadfast as described in the notice of extraordinary meeting of Steadfast members dated 15 May 2013;

*Nominee* means with respect to a person (*Person*) any of the following:

- (a) a shareholder of the Person;
- (b) a director, officer or employee of the Person or a shareholder of the Person;
- (c) a spouse, child or parent of the Person or a person described in paragraphs (a) or (b);
- (d) any company controlled by the Person or a person described in paragraphs (a), (b) or (c); or
- (e) any trustee of a trust of which the Person or a person described in paragraphs (a), (b) or (c) is a beneficiary;

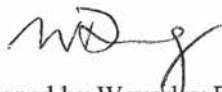
*Reweighting Shares* means the fully paid ordinary shares in Steadfast which are to be issued to shareholders of Steadfast or their Nominees in accordance with a re-weighting criteria that is described in the notice of extraordinary meeting of Steadfast members dated 15 May 2013;

*Targets* means the entities in which Steadfast proposes to acquire an equity interest contemporaneously with the Initial Public Offer; and

13/0748

*Vendors* means the vendors of the Targets.

Dated this 11<sup>th</sup> day of June 2013



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

13-0749

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-0749.

**Commencement**

3. This instrument commences upon execution.

**Variation**

4. ASIC instrument 13-686 is varied by in paragraph 4:
  - (a) deleting "11 June 2013"; and
  - (b) replacing with "14 June 2013".

Dated this 11<sup>th</sup> day of June 2013



Signed by Hamish Ratten  
as a delegate of the Australian Securities and Investments Commission





13-0753

**ASIC**

Australian Securities &amp; Investments Commission

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

**Enabling Legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-0753.

**Commencement**

3. This instrument commences on execution.

**Declaration**

4. Chapter 5C of the Act applies to Arena Investment Management Limited ACN 077 235 879 (*Arena*) in its capacity as responsible entity for the Arena Childcare Property Fund ARSN 106 891 641 (*Scheme*) as if paragraph 601KH(6)(a) as notionally inserted into the Act by ASIC Class Order [CO 07/422] were modified or varied by omitting the words “14 days” and substituting “7 days”.

**Where this instrument applies**

5. This instrument applies to the purchase of interests in the Scheme by Arena as disclosed in a Product Disclosure Statement lodged with ASIC on 13 May 2013 where the purchase takes place in the ordinary course of trading on the financial market of ASX Limited and the purchase price is paid from scheme property.

Dated 12th June 2013

A handwritten signature in cursive script, appearing to read 'Janice Chandra', followed by a dotted line.

Signed by Janice Chandra

as a delegate of the Australian Securities and Investments Commission



13-0764

**ASIC**

Australian Securities &amp; Investments Commission

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

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

**TO:** RCM Capital Management Pty Limited  
ACN: 003 171 533 ("the Licensee")  
'MLC Centre'  
Level 57, 19 Martin Place  
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 244322 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 13<sup>th</sup> June, 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

CORPORATIONS ACT 2001

Section 601CC(3)

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

Dated this fourteenth day of June 2013

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

ALWAYS PEOPLE OVERSEAS COMMUNITY PROJECTS ASSOCIATION  
INC

070 095 019

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 fourteenth day of June 2013

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

ATYPICAL DESIGN LTD.

135 618 085

COGNITO, INC.

089 074 644

GBG AUDIT AND FINANCIAL SERVICES LIMITED

124 475 663

HUNTER CONNECTIONS LIMITED

111 277 671

JAPAN DRILLING CO LTD

060 716 225

OFFICEBROKER.COM LIMITED

136 679 537

PARROT SA

145 675 341

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this fourteenth day of June 2013

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

AFRICAN RESOURCES (CHINA) HOLDINGS LIMITED  
NEW ZEALAND FOREST RESEARCH INSTITUTE LIMITED  
SAVERS, LLC

**ARBN**

146 738 758  
128 883 401  
075 452 185

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.

**AGGREGATO GLOBAL PTY LTD**

ACN 161 904 445 will change to a public company limited by shares. The new name will be AGGREGATO GLOBAL LIMITED

ACN 161 904 445.

**FINBAR FUNDS MANAGEMENT LIMITED ACN**

123 073 781 will change to a proprietary company limited by shares. The new name will be FINBAR FUNDS MANAGEMENT PTY LTD ACN 123 073 781.

**LEIF RESOURCES LIMITED ACN 157 881 064**

will change to a proprietary company limited by shares. The new name will be

LEIF RESOURCES PTY LTD

ACN 157 881 064.

**STUDYBOOSTER PTY LTD ACN 161 886 166**

will change to a public company limited by shares. The new name will be STUDYBOOSTER LTD ACN 161 886 166.

**BULLION CORPORATION PTY LTD**

ACN 152 728 973 will change to a public company limited by shares. The new name will be BULLION CORPORATION LTD

ACN 152 728 973.

**HOME TOWN VILLAS PTY LTD**

ACN 158 500 282 will change to a public company limited by shares. The new name will be HOME TOWN VILLAS LTD

ACN 158 500 282.

**SARA BELLA ENERGY LIMITED**

ACN 150 716 895 will change to a proprietary company limited by shares. The new name will be SARA BELLA ENERGY PTY LTD

ACN 150 716 895.

**TASTEL COMMUNITY ENTERPRISE LIMITED**

ACN 112 109 154 will change to a proprietary company limited by shares. The new name will be TASTEL COMMUNITY ENTERPRISE PTY LTD ACN 112 109 154.