



**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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14-0542

**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:** CAPITAL CORPORATION FUNDS MANAGEMENT LTD.  
A.C.N. 144 505 288 – SUITE 705 NORTHWEST CENTRAL 12  
CENTURY CIRCUIT BAULKHAM HILLS NSW 2153

Pursuant to section 915B of the Corporations Act 2001 the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 361771 held by Capital Corporation Funds Management Ltd. ("Licensee") with effect from the date on which this notice is given to the Licensee.

Dated this 10<sup>th</sup> Day of June, 2014

Signed .....

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

Joyce Krashow a delegate of the Australian Securities and Investments  
Commission

14-0602

**NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001**

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 18 June 2014

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

To: Ms Tina Louise McPhee

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

Dated this 12<sup>th</sup> day of June 2014

Signed:   
Cassandra Francas  
as a delegate of the Australian Securities and Investments Commission

14-0602

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

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14-0656

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC instrument 14-0656

**Commencement**

3. This instrument commences on gazettal.

**Exemption**

4. Fischer Francis Trees & Watts UK Limited, a company incorporated in England and Wales (*Company*) is exempt from the requirement to hold an Australian financial services licence in relation to the provision of financial services specified in paragraph 1 of Schedule B of the class order in this jurisdiction to wholesale clients.

**Where this instrument applies**

5. This instrument applies where the Company meets the requirements specified in Schedules A (except for paragraphs (d), (e) and (f)) and B of the class order.

**Conditions**

6. The Company must take reasonable steps to comply with the requirements specified in Schedule C of the class order.

**Where this instrument ceases to apply**

7. This instrument ceases to apply if both of the following are satisfied:
  - (a) the Company becomes aware or should reasonably have become aware of matters that give it reason to believe that it has failed, other than in an

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immaterial respect, to comply with a requirement set out in Schedule C of the class order;

- (b) the Company has not provided full particulars of the failure to ASIC (to the extent that the Company knows those particulars or would have known them if it had undertaken reasonable enquiries) within 15 business days after the Company became so aware or should reasonably have become so aware.


#### Interpretation

8. In this instrument:

*class order* means ASIC Class Order CO 03/1099 as in force on the date of the instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the *Legislative Instruments Act 2003*.

*wholesale client* has the meaning given by section 761G of the Act.

Dated this 16th day of July 2014

  
Signed by William G Armstrong  
as a delegate of the Australian Securities and Investments Commission

14-0657

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-0657.

**Commencement**

3. This instrument commences on 14 July 2014.

**Exemption**

4. 360 Capital Investment Management Limited ACN 133 363 185 (**360 Capital**) in its capacity as the responsible entity of 360 Capital Office Fund ARSN 106 453 196 (**Scheme**) does not have to comply with paragraph 601FC(1)(d) of the Act, to the extent that it requires the responsible entity of a registered scheme to treat members who hold interests of the same class equally.

**Where this instrument applies**

5. The exemption in paragraph 4 applies where 360 Capital or its nominee sells an Unmarketable Parcel of interests in the Scheme:
  - (a) in accordance with the constitution of the Scheme and the ASX Listing Rules; and
  - (b) under a sale facility that meets the requirements and satisfies the conditions for the exemptions under ASIC Instrument 14-0714.

**Where this instrument ceases to apply**

6. This exemption ceases to apply from 19 December 2014.

**Interpretation:**

7. In this instrument:

*ASX* means the financial market operated by ASX Limited ACN 008 624 691.

*ASX Listing Rules* means ASX's listing rules as at the date of this instrument.

14-0657

*market price* has the meaning given by the ASX Listing Rules.

*Unmarketable Parcel* means a parcel of interests in the Scheme which is not a marketable parcel within the meaning of the ASX Listing Rules, calculated using the market price of those interests on the ASX.

Dated this 14<sup>th</sup> day of July 2014



Signed by Jonathan (Davy) Thai  
as a delegate of the Australian Securities and Investments Commission





14-0665

**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:** Private Hospitals Superannuation Pty Ltd  
ACN 006 792 749("the Licensee")  
Level 5, 477 Pitt Street  
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 247063 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 3<sup>rd</sup> day of July 2014

Signed .....

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

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

14-0683

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-0683.

**Commencement**

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

**Order**

4. ASIC relieves Forest Enterprises Australia Limited (subject to a deed of company arrangement) (receivers and managers appointed) ACN 009 553 548 (the *company*) from the disclosing entity provisions in Part 2M.3 of the Act for the financial years ending 30 June 2010, 30 June 2011, 30 June 2012, 30 June 2013 and 30 June 2014, and half-years ending 31 December 2009, 31 December 2010, 31 December 2011, 31 December 2012 and 31 December 2013 (the *relevant financial years and half years*).

**Where this instrument applies**

5. This instrument applies for so long as the company:
  - (a) maintains arrangements for answering, free of charge, reasonable enquiries from its members about the consequences of the external administration of the company; and
  - (b) within 2 business days of the commencement of this instrument or of any subsequent instrument that amends this instrument, make this instrument available on the company's website, in a way that is readily accessible by the public from the website.

**Where this instrument ceases to apply**

6. This instrument ceases to apply on 15 January 2015 unless the reports for the company for the relevant financial years and half years have been prepared in compliance with Part 2M.3 of the Act and lodged with ASIC.

**Interpretation:**

In this instrument:

14-0683

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

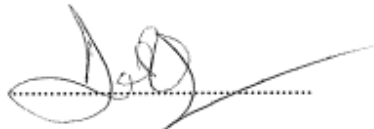
*deed of company arrangement* refers to the deed of company arrangement appointing Peter Paul Krejci and Brian Raymond Silvia of BRI Ferrier (NSW) Pty Ltd ACN 128 947 848 as deed administrators.

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

*receivers and managers* has the meaning given in the definition of *receiver and manager* in section 9 of the Act.

*receivers and managers* refers to the appointment of Timothy Bryce Norman and Salvatore Algeria of Deloitte Touche Tohmatsu as receivers and managers of the company on 14 April 2010.

Dated: 14<sup>th</sup> day of July 2014

A handwritten signature in black ink, appearing to read 'Davis Zhang', is written over a horizontal dotted line. The signature is fluid and cursive.

Signed by Davis Zhang  
as a delegate of the Australian Securities and Investments

14-0704

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-0704.

**Commencement**

3. This instrument commences on 11 July 2014.

**Exemption**

4. Aconex and SaleCo do not have to comply with subsection 734(2) of the Act.

**Where this instrument applies**

5. Subject to paragraph 6, this instrument applies to the following information communicated by Aconex and SaleCo to:
  - (a) shareholders of Aconex:
    - (i) communications in relation to an offer of Shares in Aconex in connection with an invitation to shareholders to sell or dispose of their Shares to SaleCo (*vendor sell down*) (including, without limitation, the process and implications for shareholders in relation to selling or disposing of their interests in Shares under the vendor sell down);
    - (ii) information about the structure of the offer and the offer periods under the IPO;
    - (iii) the timetable of the IPO, and any proposed updates to the timetable;
    - (iv) information regarding shareholders' escrow arrangements, with respect to the Shares they hold in Aconex after the IPO;
    - (v) any information alerting shareholders to impending announcements about the IPO;
    - (vi) information required to obtain shareholder approval for the IPO;
  - (b) to employees of the Aconex Group;

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- (i) changes to the internal administration of the Aconex Group;
- (ii) details of any employee share plan, employee option plan or similar employee incentive plan under which offers to employees of the Aconex Group will be made at or about the same time as the IPO;
- (iii) the timetable of the IPO, and any proposed updates to the timetable;
- (iv) information about impending announcements in relation to the IPO; and
- (v) details of the potential participation of employees in the issue of Shares as part of the IPO.

**Conditions**

- 6. Aconex and SaleCo must do all things necessary to ensure that:
  - (a) the content of the advertising or publicity is authorised by Aconex and SaleCo;
  - (b) the content of the advertising or publicity does not refer to the content, or proposed content, of the IPO Prospectus proposed to be lodged with ASIC in connection with an initial public offering of Shares other than as permitted by paragraph 5 above (provided that condition 6(a) is not breached);
  - (c) no advantages, benefits, merits or disadvantages of the IPO Prospectus are communicated; and
  - (d) the advertising or publicity occurs before the date on which the IPO Prospectus is lodged with ASIC.
- 7. This exemption ceases to apply on the earlier of:
  - (a) the date on which Aconex lodges the IPO Prospectus with ASIC; and
  - (b) 14 December 2014.

**Interpretation**

- 8. In this Instrument:

*Aconex* means Aconex Limited ACN 091 376 091.

*Aconex Group* means Aconex, SaleCo and their related entities.

*IPO* means an initial public offering of shares.

*IPO Prospectus* means the prospectus to be lodged with ASIC by Aconex on or around November 2014 in relation to the IPO.

14-0704

*SaleCo* refers to a company yet to be incorporated for the purposes of facilitating the sale of existing shares in Aconex.

*Shares* means fully paid ordinary shares in Aconex.

Dated this 11<sup>th</sup> day of July 2014

A handwritten signature in black ink, appearing to read 'James Nott', written in a cursive style.

Signed by James Nott

as a delegate of the Australian Securities and Investments Commission

14-0709

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

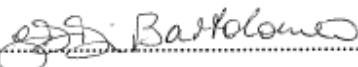
Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 9 July 2014.

**Australian Securities and Investments Commission  
Corporations Act 2001 section 915C****Notice of Cancellation of Australian Financial Services Licence**

To: Weem Financial Services Pty Ltd Pty Ltd (ACN 127 756 512)

Under s915C(3) of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 322915 held by Weem Financial Services Pty Ltd Pty Ltd (ACN 127 756 512).

Dated this 27<sup>th</sup> day of June 2014

Signed .....  .....

Gai Di Bartolomeo  
as a delegate of the Australian Securities and Investments Commission

14-0711

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-0711.

**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;



**14-0711**

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

**Where this instrument applies**

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

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- (b) would meet the requirements of the class order if:
- (i) the definition of an “eligible offer” in paragraph 9 of the Interpretation 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 Global Select Market throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period made under an employee share scheme extended only to eligible employees of the issuer;” and
- (ii) in the Interpretation, the following definition 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

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- (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, 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 more than nominal monetary consideration;”.

**Conditions**

9. The issuer can only rely on the exemptions in this instrument if the issuer complies with the following conditions:
  - (a) the conditions of the class order (excluding the condition specified in paragraph 3 of the Schedule to the class order) as expressed to apply to them; and
  - (b) the issuer must take reasonable steps to ensure that the number of shares that may be issued in connection with any eligible incentive plan offer, when aggregated with:

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- (i) the number of shares in the same class which would be issued were every other outstanding offer with respect to shares, units of shares, options to acquire unissued shares and performance rights under every other employee share schemes of the issuer to vest or to be accepted or exercised;
- (ii) the number of shares in the same class issued during the previous 5 years pursuant to:
  - (A) an eligible incentive plan offer extended only to eligible employees; and
  - (B) any other employee share scheme extended only to eligible employees of the issuer;

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

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

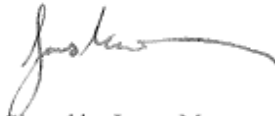
- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;
- (b) *class order* means ASIC Class Order CO 03/184 as in force on the date of this 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 Riverbed Technology, Inc. 2014 Equity Incentive Plan (under which the performance rights are referred to as restricted stock units), the Australian offer document and the Restricted Stock

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Unit Agreement for Non-U.S. Participants, the terms of which are substantially in the same form as those provided to ASIC on 30 May 2014; and

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

Dated this 16<sup>th</sup> day of July 2014



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

14-0714

**Australian Securities and Investments Commission**  
**Corporations Act 2001 – Paragraphs 601QA(1)(a), 911A(2)(l) and 1020F(1)(a) – Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 601QA(1)(a), 911A(2)(l) and 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 14-0714.

**Commencement**

3. This instrument commences on gazettal.

**Exemptions**

4.
  - (a) 360 Capital Investment Management Limited ACN 133 363 185 (*360 Capital*) in its capacity as the responsible entity of 360 Capital Office Fund ARSN 106 453 196 (*Scheme*);
  - (b) Moelis Australia Securities Pty Limited ACN 122 781 560 (*Moelis*); and
  - (c) Boardroom Pty Limited ACN 003 209 836;(together, the *Relevant Persons*),  
do not have to comply with:
  - (d) section 601ED of the Act in relation to the Sale Facility;
  - (e) Divisions 2 to 5 of Part 7.9 of the Act in relation to an interest in the Sale Facility; and
  - (f) the requirement to hold an Australian financial services license for the provision of the following financial services:
    - (i) dealing in an interest in a Sale Facility; and
    - (ii) the provision of general advice in relation to an interest in the Sale Facility.
5. To avoid doubt, to the extent that a Relevant Person invites a holder of Securities to make an offer to sell Securities through the Sale Facility, the Relevant Person does not have to comply with Division 5A of Part 7.9 of the Act.

**Where this instrument applies**

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6. The exemptions in paragraphs 4 and 5 apply in relation to the Sale Facility where the facility satisfies all of the following:
- (a) the Securities that may be sold through the Sale Facility are admitted to quotation on ASX;
  - (b) under the terms of the Sale Facility:
    - (i) the Securities (the *relevant financial products*) of holders of an Unmarketable Parcel to be sold through the Sale Facility are pooled; and
    - (ii) Moelis sells the relevant financial products in the ordinary course of trading on ASX; and
    - (iii) the proceeds of the sale net of expenses (to the extent (if any) that they are not met by 360 Capital or Moelis are distributed to holders of an Unmarketable Parcel; and
    - (iv) each holder of an Unmarketable Parcel is paid their proportion of the proceeds of sale as soon as practicable and, in any event, within 8 weeks after the Record Date.

**Conditions**

7. In order to rely on the exemptions in subparagraphs 4(d) or (e) or paragraph 5, at least one of the Relevant Persons must:
- (a) give or send to each holder of an Unmarketable Parcel a document which complies with paragraph 8, by:
    - (i) giving the document to the holder personally; or
    - (ii) sending the document:
      - (A) by post to the address for the holder in the register of members or an alternative address (if any) nominated by the holder; or
      - (B) to the fax number or electronic address (if any) nominated by the holder.
8. The document:
- (a) must contain the following statements and information:
    - (i) a statement that the Sale Facility is open until the expiry date set out in the document, which cannot be more than 12 months after the date of the document; and
    - (ii) information about the minimum and maximum number (if any) of

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Securities a holder of an Unmarketable Parcel can sell through the Sale Facility; and

- (iii) a statement that the market price of Securities is subject to change from time to time; and
  - (iv) information about how to obtain up-to-date information on the market price of Securities; and
  - (v) information about any expenses relating to the sale of Securities that will be paid by the holders of Unmarketable Parcels; and
  - (vi) information about how the proceeds of sale of Securities sold through the Sale Facility will be allocated between holders of Unmarketable Parcels; and
  - (vii) a statement that the amount of money received by a holder of an Unmarketable Parcel that is sold through the Sale Facility may be more or less than the actual price received by Moelis for those Securities; and
  - (viii) information about any other significant characteristics or features of the Sale Facility or of the rights and obligations of holders of Unmarketable Parcels participating in the Sale Facility; and
  - (ix) information about any alternatives that the holder of an Unmarketable Parcel may have to participating in the Sale Facility; and
  - (x) information about the Record Date and the procedure for notifying 360 Capital prior to the Record Date.
- (b) must be worded and presented in a clear, concise and effective manner; and
  - (c) may be given in printed or electronic form and, if given in electronic form, must, as far as practicable, be given in a way that will allow the holder to print or save a copy of it.
9. In order to rely on the exemptions in subparagraphs 4(d) or (e) or paragraph 5, the Relevant Persons must take reasonable steps to ensure the Sale Facility is not operated during any period where a control transaction has been publicly proposed and has not ended.

**Exclusion from reliance**

10. The Relevant Persons are excluded from relying on paragraph 4(f) of this instrument if any one of them becomes aware of matters that gives any one of them reason to believe that any one of them has failed in a material respect to comply with a condition of this instrument and does not give full particulars of the failure to ASIC within 15 business days of becoming so aware.



14-0714

**Interpretation**

11. In this instrument:

*ASX* means the financial market operated by ASX Limited ACN 008 624 691.

*ASX Listing Rules* means ASX's listing rules as at the date of this instrument.

*control transaction* means a transaction or a proposed transaction that affects the control, or potential control, of 360 Capital or the Scheme.

*facility* has a meaning affected by section 762C of the Act.

*holder* has the meaning given by section 761A of the Act.

*market price* has the meaning given by the ASX Listing Rules as at the date of this instrument.

*Record Date* means the final date for notifying 360 Capital whether or not a holder of an Unmarketable Parcel nominates to retain their Unmarketable Parcel.

*register of members* means the register of members required to be set up and maintained under section 169 of the Act.

*Sale Facility* means a facility through which a holder of an Unmarketable Parcel transfers its Securities to Moelis to sell on their behalf.

*Securities* means an interest in the Scheme.

*Unmarketable Parcel* means a parcel of Securities which is not a marketable parcel within the meaning of the ASX Listing Rules, calculated using the market price of those Securities on the ASX.

Dated this 14<sup>th</sup> day of July 2014

Signed by Jonathan (Davy) Thai  
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities &amp; Investments Commission

14-0715

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

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

TO: Judrey Pty Limited  
ACN 134 802 056("the Licensee")  
81 St Davids Road  
Haberfield NSW 2045

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 345058 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated the 15<sup>th</sup> day of July 2014

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



ASIC

Australian Securities &amp; Investments Commission

14-0717

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

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

TO: The Trust Company (PTCCL) Limited  
ACN 008 390 387 ("the Licensee")  
Level 15, Bond Street  
Sydney NSW 2000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 235157 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated the 15<sup>th</sup> day of July 2014

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



**ASIC**

Australian Securities & Investments Commission

**14-0718**

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

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

TO: Network Licences Pty Ltd  
ACN 087 377 357 ("the Licensee")  
68 Victoria Street  
McMahons Point NSW 2060

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 234639 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated this 15 day of July 2014

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

**ASIC**

Australian Securities &amp; Investments Commission

**14-0719****Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: Kessler Funds Management Pty Limited  
ACN 126 502 510 ("the Licensee")  
c/o HLB Mann Judd (NSW) Pty Ltd  
Level 19, 207 Kent Street  
Sydney NSW 2000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 318882 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated the 15<sup>th</sup> day of July 2014

Signed .....

Joyce Krashow  
A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities &amp; Investments Commission

14-0722

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

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

TO: Cornerstone Corporate Pty Ltd  
ACN 088 222 888 ("the Licensee")  
Unit 7, 589 Stirling Highway  
Cottesloe WA 6011

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 332426 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated the 15<sup>th</sup> day of July 2014

Signed .....

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

Joyce Krashow  
A delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities &amp; Investments Commission

**14-0723****Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: Hastings Private Equity Fund IIA Pty Ltd  
ACN 110 385 343 ("the Licensee")  
Level 27, 35 Collins Street  
Melbourne VIC 3000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 279687 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated the 14<sup>th</sup> day of July 2014

Signed .....

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

Joyce Krashow  
A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities &amp; Investments Commission

14-0724

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

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

TO: Australian Growth Securities Ltd  
ACN/ARBN/ABN 136 952 120 ("the Licensee")  
Level 1, 83 Beaumont Street  
Hamilton NSW 2303

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 340437 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated the 15<sup>th</sup> day of July 2014

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





Australian Government

Takeovers Panel

14-0726

**CORPORATIONS ACT**  
**SECTION 657A**  
**DECLARATION OF UNACCEPTABLE CIRCUMSTANCES**

**NORTHERN IRON LIMITED****CIRCUMSTANCES**

1. Northern Iron Limited (**Northern Iron**) is a company listed on the Australian Securities Exchange (ASX code: NFE).
2. Dalnor Assets Ltd (**Dalnor**) is a company incorporated in the British Virgin Islands. It holds approximately 19.95% of the shares in Northern Iron.
3. On 11 December 2012, Dalnor lodged a substantial holder notice which disclosed that the registered holder of the securities was SIX-SIS Ag as depository and the holder of a relevant interest of 5% was Dalnor.
4. On 27 March 2013, a tracing notice under section 672A<sup>1</sup> was issued to Dalnor. On 11 April 2013, Dalnor responded without providing the information required by section 672B. On 28 May 2013, Ms Gabriella Bell was disclosed to Northern Iron as the sole shareholder of Dalnor.
5. On 13 May 2014, Dalnor lodged a notice of change of interests of substantial holder, which disclosed that the registered holder of the securities was SIX-SIS Ag as depository and the holder of a relevant interest of 18.99% was Dalnor.
6. On 22 May 2014, Dalnor lodged a revised notice of change of interests of substantial holder, which disclosed that the registered holder of the securities was SIX-SIS Ag and each of the following held a relevant interest of 18.99%:
  - SIX-SIS Ag (as custodian and bare trustee for Dalnor)
  - Dalnor
  - Ms Gabriella Bell (as sole shareholder of Dalnor, for the benefit of Fund GP - a wholly owned subsidiary of SPA Financial Services - in its capacity as general partner of SPA Fund)
  - SPA Multi-Strategy Fund II LP (**SPA Fund**), SPA GP (II) Limited (**Fund GP**) and SPA Financial Services Ltd (**SPA Financial Services**).

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<sup>1</sup> References are to the *Corporations Act 2001* (Cth) unless otherwise indicated

7. By letter dated 20 May 2014, Dalnor provided, in response to the tracing notice dated 27 March 2013, the information referred to in paragraph 6 and advised that it was not aware of any other person who had given it instructions in respect of the shares.
8. The information referred to in the third and fourth bullet points in paragraph 6:
  - (a) was not disclosed in previous substantial holder notices and
  - (b) was not provided for more than a year in response to the tracing notice.
9. Moreover, the revised notice of change of interests of substantial holder does not include all of the information required by section 671B including:
  - (a) details of any relevant agreement through which the parties disclosed have a relevant interest
  - (b) the declaration of trust by Ms Gabriella Bell in favour of SPA Fund
  - (c) how the shares in Northern Iron were acquired, in particular that one of the transactions was off-market
  - (d) a copy of the relevant documents, including the SPA Fund Memorandum
  - (e) any explanation of why the owners of SPA Financial Services do not have a relevant interest and
  - (f) every person who does have a relevant interest.
10. Moreover, the 20 May 2014 response to the tracing notice dated 27 March 2013 does not include all of the information required by section 672B including:
  - (a) the name and address of each person who has given instructions about the acquisition or disposal of the shares
  - (b) the name and address of each person who has given instructions about the voting rights in respect of the shares and
  - (c) depending on whether the owners of SPA Financial Services have a relevant interest, their names and addresses.
11. Consequently:
  - (a) the acquisition of control over voting shares in Northern Iron has not taken, and continues not to take, place in an efficient, competitive and informed market and
  - (b) the holders of Northern Iron shares, the board of Northern Iron and the market in general has not known, and continues not to know, the identity of persons who acquired a substantial interest in Northern Iron.
12. It appears to the Panel that the circumstances are unacceptable:
  - (a) having regard to the effects that the Panel is satisfied the circumstances have had, and are having, on:
    - (i) the control, or potential control, of Northern Iron or
    - (ii) the acquisition by a person of a substantial interest in Northern Iron
  - (b) having regard to the purposes of Chapter 6 set out in section 602 and

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(c) because they constitute a contravention of provisions of Chapter 6C.

13. The Panel considers that it is not against the public interest to make a declaration of unacceptable circumstances. It has had regard to the matters in section 657A(3)

**DECLARATION**

The Panel declares that the circumstances constitute unacceptable circumstances in relation to the affairs of Northern Iron.



Alan Shaw  
Counsel  
with authority of Richard Hunt  
President of the sitting Panel  
Dated 19 June 2014



Australian Government

Takeovers Panel

14-0727

**CORPORATIONS ACT  
SECTION 657D  
ORDERS**

**NORTHERN IRON LIMITED**

The Panel made a declaration of unacceptable circumstances on 19 June 2014.

**THE PANEL ORDERS**

1. Dalnor Assets Ltd (Dalnor) must lodge with ASX a notice of change of interests of substantial holder that is not materially different to the draft notice proposed by Dalnor in its rebuttal submissions provided to the Panel on 17 June 2014 and which:
  - (a) discloses the nature of the relevant interest held by Gabriel Anastasiades in section 4 of the notice and
  - (b) also attaches a copy of the SPA Multi-strategy Fund I.I. L.P. Private Placement Memorandum.
2. Dalnor and its associates must not make an acquisition of shares in Northern Iron Limited in reliance on the exception in item 9 of section 611 of the *Corporations Act 2001* until six months after the lodgement of the notice referred to in order 1.

A handwritten signature in black ink, appearing to read 'Alan Shaw'.

**Alan Shaw**  
Counsel ·  
with authority of Richard Hunt  
President of the sitting Panel  
Dated 19 June 2014



Australian Government

Takeovers Panel

14-0728

**Corporations Act  
Section 657D(3)  
Variation of Orders**

**NORTHERN IRON LIMITED**

Pursuant to section 657D(3) of the *Corporations Act 2001* (Cth)

**THE PANEL ORDERS**

The final orders made on 19 June 2014 are varied by adding the following paragraph:

3. Within 10 business days of the date of this order Dalnor must pay the following costs:
  - (a) A\$25,000.00 to Northern Iron Limited and
  - (b) A\$10,326.98 to the Australian Securities and Investments Commission.

A handwritten signature in black ink, appearing to read 'Alan Shaw'.

Alan Shaw

Counsel

with authority of Richard Hunt

President of the Sitting Panel

Dated 27 June 2014

CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this eighteenth day of July 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

CRESTVIEW STRATEGY INC.

150 883 042

KITTELSON LLC

124 290 651

NAZADEL AUSTRALIA LIMITED

162 156 005

OREA NO 21 LIMITED

164 335 200

TERUMO CORPORATION

010 106 902

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 eighteenth day of July 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

GEOMECHANICS INTERNATIONAL, INC.

PREMIER CAPITAL (CHINA) LIMITED

**ARBN**

092 815 015

147 200 646

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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 eighteenth day of July 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

CENTREBOARD INTERNATIONAL RENEWABLE ENERGY TRUST

**ARSN**

124 231 625

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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 eighteenth day of July 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

SPECIAL SITUATIONS OFFICE FUND

**ARSN**

141 475 603

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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.

**ABB GRAIN EXPORT LTD** ACN 084 962 112 will change to a proprietary company limited by shares. The new name will be **ABB GRAIN EXPORT PTY LTD** ACN 084 962 112.

**GLOBAL STRATEGIC METALS N.L.**  
ACN 000 738 885 will change to a public company limited by shares. The new name will be **GLOBAL STRATEGIC METALS LTD** ACN 000 738 885.

**SANDON CAPITAL OPPORTUNITIES LIMITED**  
ACN 060 199 082 will change to a proprietary company limited by shares. The new name will be **SANDON CAPITAL OPPORTUNITIES PTY LTD** ACN 060 199 082.

**CONSOLIDATED WESTERN AREAS LIMITED**  
ACN 141 079 325 will change to a proprietary company limited by shares. The new name will be **CONSOLIDATED WESTERN AREAS PTY LIMITED** ACN 141 079 325.

**NATIONWIDE METALS LIMITED**  
ACN 141 840 762 will change to a proprietary company limited by shares. The new name will be **NATIONWIDE METALS PTY LIMITED** ACN 141 840 762.