



**ASIC**

Australian Securities &  
Investments Commission

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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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13-0798

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraphs 911A(2)(l) and 926A(2)(c) — Exemption  
and Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 911A(2)(l) and 926A(2)(c) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument [13-0798].

**Commencement**

3. This instrument commences on gazettal.

**Exemption**

4. Australian Postal Corporation ABN 28 864 970 579 (*Australia Post*) and each person who has entered a franchise agreement or licence agreement with Australia Post for the person to operate an Australia Post retail outlet (*Australia Post franchisee or licensee*) do not have to comply with the requirement to hold an Australian financial services licence under subsection 911A(1) of the Act for the provision of a financial service by dealing in a superannuation product or RSA product by arranging for a person to dispose of the superannuation product or RSA product.

**Declaration**

5. Part 7.6 (other than Divisions 4 and 8) of the Act applies in relation to Australia Post and an Australia Post franchisee or licensee (each a *relevant provider*) that has been authorised to provide financial services on behalf of a relevant licensee as if provisions of that Part were modified or varied as follows:

Note: A relevant provider that is an Australia Post franchisee or licensee may be authorised by Australia Post on behalf of the relevant licensee.

- (a) in section 910A:

- (i) before the definition of *representative*, insert:

*“non-cash payment facility* means a means a facility through which, or through the acquisition of which, a person makes non-cash payments.

*non-cash payment facility distributor* means, in relation to a financial services licensee:

- (A) a person (*principal distributor*) who the licensee has authorised in writing to provide financial services on behalf of the licensee in relation to a non-cash payment facility; and
  - (B) a person who the principal distributor has, with the written consent of the licensee, authorised in writing to provide those financial services.”; and
- (ii) in the definition of *representative*, insert after subparagraph (a)(iii):
- “(iiib) a non-cash payment facility distributor of the licensee; or”;  
and
- (b) after paragraph 911B(1)(a), insert:
- “(ac) these conditions are satisfied:
- (i) the principal holds an Australian financial services licence covering the provision of the service; and
  - (ii) the service is dealing in, or the provision of general advice in relation to, a non-cash payment facility; and
  - (iii) the provider is:
    - (A) a non-cash payment facility distributor of the principal; or
    - (B) an employee, director or officer of a non-cash payment facility distributor of the principal.”.

#### Where exemption and declaration apply

6. The exemption in paragraph 4 applies in relation to the provision of a financial service where:
- (a) the financial service is provided in the course of a service (*Rollover Service*) provided by Australia Post to enable a person (*product holder*) who holds a superannuation product or an RSA product to give instructions at an Australia Post retail outlet to rollover or transfer the product holder’s withdrawal benefit in relation to the product to:
    - (i) if the product is a superannuation product – another superannuation entity of which the product holder is already a member or an RSA product already maintained in the name of the

- product holder; and
- (ii) if the product is an RSA product – another RSA product already maintained in the name of the product holder or a superannuation entity of which the product holder is already a member; and
- (b) the financial service comprises some or all of the following conduct:
- (i) making available on the Australia Post website a form based on the form at Schedule 2A to the Superannuation Industry (Supervision) Regulations 1994;
  - (ii) receiving completed forms;
  - (iii) witnessing the signature of the form by the product holder and certifying any identification documents provided with the form;
  - (iv) providing the product holder with a receipt for the transaction;
  - (v) forwarding documentation to the trustee of any superannuation entity that is involved in the rollover or transfer and to any RSA provider that is involved in the rollover or transfer.
7. The declaration in paragraph 5 applies where each of the following is satisfied:
- (a) the relevant provider or an employee, director or officer of the relevant provider provides financial services in relation to any of the following non-cash payment facilities (each a *relevant facility*) by arranging for the issue of the relevant facility:
    - (i) a superannuation clearing facility provided by Payclear;
    - (ii) a stored value card facility issued by Heritage;
    - (iii) a stored value card facility issued by American Express Travel Related Services Company, Inc (a company incorporated in New York, United States of America) and distributed in Australia by American Express;
  - (b) if the financial services are provided in relation to the superannuation clearing facility referred to in sub-subparagraph (a)(i), the relevant provider and, if Australia Post is not the relevant provider, Australia Post have taken reasonable steps to ensure that the conduct of the person providing financial services in relation to the facility is limited to some or all of the following conduct:
    - (i) receiving, from a person (*client*) making a non-cash payment using the facility, instructions for payment of superannuation contribution amounts to specified superannuation entities on

- behalf of the issuer of the facility;
- (ii) accepting the superannuation contribution amounts from the client on behalf of the issuer of the facility in the form of cash, cheques or through an electronic payment facility;
  - (iii) passing on to the issuer of the facility the superannuation contribution amounts and instructions for payment of those contribution amounts to one or more superannuation entities;
  - (iv) providing the client with a receipt for the transaction;
  - (v) if the relevant provider is Australia Post, promoting the facility to trustees of superannuation entities, including by promoting the facility in the media;
  - (vi) responding to general queries about the facility by providing factual information;
- (c) if the financial services are provided in relation to a stored value card facility referred to in sub-subparagraph (a)(ii) or (iii), the relevant provider and, if Australia Post is not the relevant provider, Australia Post have taken all reasonable steps to ensure that the conduct of the relevant provider in relation to the facility is limited to some or all of the following:
- (i) displaying and providing material relating to the facility, including marketing material, envelopes and packs containing marketing material, the Product Disclosure Statements for the facility and user guides for the facility;
  - (ii) scanning any barcodes on the material mentioned above;
  - (iii) receiving an application fee from a person (*customer*) for the stored value card;
  - (iv) conducting an identity check of the customer;
  - (v) receiving payment of money from the customer that is to be loaded onto the stored value card;
  - (vi) giving the customer a receipt that contains information necessary for the customer to complete the application process for the stored value card;
  - (vii) activating the stored value card;
  - (viii) if the relevant provider is Australia Post, promoting the facility in the media;
-

- (ix) responding to general queries about the facility by providing factual information;
- (d) Australia Post has a written agreement with the relevant licensee under which the relevant licensee:
  - (i) authorises Australia Post to provide the financial services on behalf of the relevant licensee; and
  - (ii) authorises, or permits Australia Post to authorise on its behalf, Australia Post franchisees and licensees to provide the financial services on behalf of the relevant licensee; and
  - (iii) accepts responsibility for the conduct of the relevant provider to the extent described in Division 6 of Part 7.6 of the Act; and
  - (iv) has a dispute resolution system that:
    - (A) complies with subsection 912A(2) of the Act; and
    - (B) covers complaints made by retail clients relating to the conduct of the relevant provider;
- (e) the relevant provider has been authorised by, or in accordance with, the agreement referred to in subparagraph (d) (and that authorisation has not been revoked);
- (f) the relevant provider is not an authorised representative of the relevant licensee;
- (g) before providing a financial service to another person as a retail client, the relevant provider specifically draws to the person's attention to the availability of dispute resolution systems of the relevant licensee that cover complaints about the non-cash payment facility and the relevant provider's conduct, and information about how that dispute resolution system can be accessed.

#### Cessation

8. This instrument ceases to apply on the second anniversary of gazettal.

#### Interpretation

9. In this instrument:

*American Express* means American Express International, Inc (Australian financial services licence number 237996).

*Australia Post retail outlet* means a post office run as a franchise of Australia Post or a post office operated by a person who holds a licence issued by

Australia Post but not a post office run by a Community Postal Agent under a common agreement with Australia Post.

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

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

**general advice** has the meaning given by subsection 766B(4) of the Act.

**Heritage** means Heritage Bank Limited ACN 087 652 024.

**issue** has the meaning affected by section 761E of the Act.

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

**media** has the meaning given by subsection 1018A(6) of the Act.

**non-cash payment** has the meaning given by section 763D of the Act.

**non-cash payment facility** means a facility through which, or through the acquisition of which, a person makes non-cash payments within the meaning of section 763D of the Act.

**Payclear** means Payclear Services Limited ACN 124 852 320.

**relevant licensee** means each of Payclear, Heritage and American Express.

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

**rollover or transfer** in relation to:

- (a) a superannuation product has the same meaning as in Part 6 of the Superannuation Industry (Supervision) Regulations 1994; and
- (b) an RSA product has the same meaning as roll over or transfer in Part 4 of the Retirement Savings Accounts Regulations 1997.

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

**stored value card** has the meaning given to that term in the definition of stored value card facility.

**stored value card facility** means a non-cash payment facility that allows a person to load funds onto a card (**stored value card**) and make non-cash payments using the card.

**superannuation clearing facility** means a facility provided to an employer under which the provider distributes or forwards superannuation contributions from the employer to their employees' chosen superannuation entities.

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

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

*withdrawal benefit* in relation to:

- (a) a superannuation product has the meaning given by regulation 1.03 of the Superannuation Industry (Supervision) Regulations 1994; and
- (b) an RSA product has the meaning given by regulation 1.03 of the Retirement Savings Accounts Regulations 1997.

Dated this 4<sup>th</sup> day of December 2013



Signed by Christopher Green  
as a delegate of the Australian Securities and Investments Commission



13-1246

**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 13-1246.

**Commencement**

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

**Order**

4. ASIC relieves Real Estate Capital Partners Managed Investments Limited ACN 115 913 810 (the *Company*) in its capacity as the responsible entity of Real Estate Capital Property Trust 3 ARSN 111 225 480 (Receivers and Managers Appointed) (*Scheme*) from the disclosing entity provisions of Part 2M.3 of the Act for the financial year and half-years of the Scheme up to and including the financial year ending 30 June 2014.

**Where this order applies**

5. This instrument applies for so long as the receivers and managers:
  - (a) maintain arrangements for answering, free of charge, reasonable enquiries from the Schemes' members and creditors about the consequences of the external administration of the Scheme for them and made while the Scheme is relying on relief afforded by this order; and
  - (b) prepare and lodge with ASIC accounts in compliance with subsection 432(1) of the Act.
6. If the receivers and managers form an opinion that the Scheme's members have an ongoing economic interest in the Scheme, they must notify ASIC in writing of their opinion within two business days after forming such an opinion.

**Where this order ceases to apply**

7. This order ceases to apply on 14 January 2015.
-

2.

13-1246

**Interpretation:**

In this instrument:

*disclosing entity provisions* has the meaning given by section 111AT 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* for the purposes of this order means the appointment of David Merryweather and Martin Madden of Kordamentha as receivers and managers to the Company on 19 August 2011 and currently Martin Madden of Kordamentha as receivers and managers.

Dated: 5 December 2013



.....  
Signed by Jenny Taing  
as a delegate of the Australian Securities and Investments Commission

13-1526

**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 13-1526.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to Questor Financial Services Limited ACN 078 662 718 (the *responsible entity*) in its capacity as responsible entity of the registered schemes specified in paragraph 5 (each, the *scheme*) as if section 601FL of the Act 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:

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- (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.

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- (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 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.

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- (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:
- (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.
  - (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 instrument applies to the responsible entity in its capacity as the responsible entity of the following registered schemes (each, a *Scheme*):
  - (a) The Cash Management Fund ARSN 089 508 636; and
  - (b) The Property Income Plus Fund ARSN 089 508 350.
6. This declaration applies where I.O.O.F. Investment Management Limited ACN 006 695 021 has consented in writing to becoming the new responsible entity of a Scheme.
7. This declaration ceases to apply on 31 January 2014.

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Dated this 4<sup>th</sup> day of December 2013



Signed by Dea Tjahjana  
as a delegate of the Australian Securities and Investments Commission



13-1542

**ASIC**

Australian Securities &amp; Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b), subsection 741(1) and  
1020F(1) – Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1542.

**Commencement**

3. This instrument commences on execution.

**Declaration**

4. Chapter 5C of the Act applies to APN Funds Management Limited (ACN 080 674 479) (**APNFM**) in its capacity as responsible entity of Australand Wholesale Property Trust No. 6 (ARSN 125 862 875) (to be renamed Industria Trust No. 1) (**AWPT6**), Australand Wholesale Property Trust No. 6A (ARSN 125 862 491) (to be renamed Industria Trust No. 2) (**AWPT6A**), Industria Trust No. 3 (formerly APN Wholesale Direct Property Pool) (ARSN 166 150 938) (**WDPP**) and Industria Trust No. 4 (formerly BTP Central Trust) (ARSN 166 163 186) (**BTP**) as if the following provisions of that Chapter were modified or varied:
  - (a) after section 601FE insert:

**“601FEA Modification of duties: stapled securities**

- (1) This section applies to a registered scheme (the *scheme*) where the interests in the scheme and interests in other registered schemes and shares in a company (the *stapled entities*) are components of stapled securities.
- (2) For the purposes of paragraphs 601FC(1)(c) and 601FD(1)(c), an obligation to act in the best interests of the members of the scheme is an obligation to act in the best interests of the members of the scheme having regard to their interests as members of the stapled entities.



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

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

    - (a) the constitution makes provision for the issue price of stapled securities;
    - (b) the constitution provides that the responsible entity may allocate a proportion of the issue price of the stapled securities to the interests in the scheme;
    - (c) the stapled securities are issued at a price, or in accordance with a formula or method that is to be used to calculate the issue price of stapled securities, which is set out in the constitution; and
    - (d) the responsible entity allocates a proportion of the issue price of the stapled securities to the interests in accordance with the constitution.”;
- (c) after subsection 208(2) as notionally inserted by section 601LC, insert:
- “(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if all the following conditions are satisfied:
- (a) the benefit either:
    - (i) is given out of the scheme property of a registered scheme; or
    - (ii) could endanger the scheme property;

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- (b) all of the interests in the scheme together with all of the interests in other registered schemes and all of the shares in a company (the *stapled entities*) are components of stapled securities;
  - (c) the benefit is given by:
    - (i) the responsible entity of the scheme; or
    - (ii) an entity that the responsible entity controls; or
    - (iii) an agent of, or person engaged by, the responsible entity;
  - (d) the benefit is given to:
    - (i) an entity wholly owned, whether directly or indirectly, by the scheme; or
    - (ii) a stapled entity or an entity wholly owned, whether directly or indirectly, by a stapled entity; or
    - (iii) an entity wholly owned, whether directly or indirectly, by one or more of the scheme and a stapled entity.
- (2B) For the purposes of this section:
- (a) an entity is wholly owned by another entity if all of the shares or interests (as applicable) in the first-mentioned entity are held by, or held by a nominee for (in the case of the second-mentioned entity being a company), or form part of the trust property of (in the case of the second-mentioned entity being a trust), the second-mentioned entity or a wholly owned entity of it; and
  - (b) a reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries.”;

- (d) insert after section 601PC:

**“601PD      Stapled securities**

For the purposes of this Chapter:

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

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- (a) under the terms on which each of the products are to be traded, they must be transferred together; and
  - (b) there are no financial products in the same class as those financial products which may be transferred separately.”.
5. Chapter 6D of the Act applies to Industria Company No. 1 Pty Ltd (formerly APN DF1 Developments (Qld) Pty Limited) (ACN 010 794 957) (**DF1**) as if that Chapter were modified or varied by omitting paragraph 708(13)(b) and substituting:
- “(b) an offer of fully-paid shares in a body to 1 or more existing holders of shares in the body, under a plan for the reinvestment of at least one of the following:
- (i) dividends in respect of shares in the body;
  - (ii) distributions in respect of managed investment products which, under the terms on which they may be traded, must only be transferred together with shares in the body”.
6. Part 7.9 of the Act applies in relation to APNFM in its capacity as responsible entity of AWPT6, AWPT6A, WDPP and BTP as if paragraph 1012D(3)(b) were modified or varied as follows:
- (a) omit “either.”, substitute “one or more of the following applies.”;
  - (b) in subparagraph (i) omit “or” (second occurring);
  - (c) in subparagraph (ii) omit “facility.”, substituting “facility.”;
  - (d) after subparagraph (ii) insert:
    - “(iii) in a recommendation situation—the advice that constitutes the relevant conduct relates to an offer of managed investment products, under a plan for the reinvestment of at least one of the following:
      - (A) distributions in respect of the managed investment products;
      - (B) dividends in respect of shares in a corporation;
      - (C) dividends in respect of shares in a body which, under the terms on which they may be traded, must only be transferred together with the managed investment products and interests in shares in a corporation;

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(iv) in an issue situation—the offer or issue that constitutes the relevant conduct is an offer or issue of managed investment products, under a plan for the reinvestment of at least one of the following:

- (A) distributions in respect of the managed investment products;
- (B) dividends in respect of shares in a corporation;
- (C) dividends in respect of shares in a body which, under the terms on which they may be traded, must only be transferred together with the managed investment products and interests in shares in a corporation.”.

**Where this declaration applies**

7. The declaration in paragraphs 4 applies where each interest in AWPT6, each interest in AWPT6A, each interest in WDPP and each interest in BPT and each ordinary share in DF1 must, on the terms on which they are to be traded, only be transferred together (*Stapled Security*).
8. The declarations in paragraphs 5 and 6 apply where an offer or issue of, and recommendation to acquire Stapled Securities under a plan for the reinvestment of dividends or distributions payable in respect of Stapled Securities.

**Where this declaration ceases to apply**

9. This declaration ceases to apply if:
  - (a) a component of a Stapled Security is issued which on the terms on which it is traded, can be transferred separately without also transferring any other component of a Stapled Security; or
  - (b) any class of interests in AWPT6, AWPT6A, WDPP or BPT (other than the class of interests in AWPT6, AWPT6A, WDPP or BPT already on issue as at the date of this instrument or any prospective or contingent right that converts or exchanges into such class of interest) or any shares in DF1 (other than ordinary shares) are issued.

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



Signed by Janice Chandra  
as a delegate of the Australian Securities and Investments Commission

13-1547

**Australian Securities and Investments Commission****Corporations Act 2001 – 1020F(1)(a) Exemption****Enabling Legislation**

1. The Australian Securities and Investments Commission ("ASIC") makes this instrument under Paragraph 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC instrument 13-1547

**Commencement**

3. This instrument commences on 5 December 2013

**Exemption**

4. Morgan Stanley Australia Securities Limited ("MSASL") does not have to comply with subsection 1020B(2) of the Act in relation to a sale of a security (the *shorted product*) by MSASL where all of the following apply:
    - a. MSIP makes a market for a financial product;
    - b. MSIP issues, acquires or disposes of a financial product (the *hedged product*) in the course of making that market (the *primary transaction*);
    - c. MSIP and MSASL enter into a corresponding transaction (the *back-to-back transaction*) under the terms of the ISDA Master Agreement between MSIP and MSASL dated 28 January 2008, as amended from time to time, or any other agreement between MSIP and MSASL in a form provided to ASIC under condition 5AA to which ASIC has not objected within 28 days;
    - d. the back-to-back transaction is a bona fide transaction to manage, avoid or limit the financial consequences to MSIP of the primary transaction;
    - e. the sale of the shorted product is a bona fide transaction to manage, avoid or limit the financial consequences to MSASL of the back-to-back transaction;
-

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- f. at the time of the sale of shorted product, the shorted product is a constituent of the index known as the S&P/ASX 300;

Note: This index is compiled and calculated by Standard and Poor's, a division of The McGraw-Hill Companies, Inc. Its constituents are subject to change from time to time. Details of the current constituents may be found via <http://www.standardandpoors.com.au/>.

- g. at the time of the sale of the shorted product, MSASL believes on reasonable grounds that a securities lending arrangement can be put in place, before the time for delivery of the shorted product, so that a financial product equivalent to the shorted product can be unconditionally vested in the purchaser of the shorted product by the time for delivery; and
- h. MSIP holds an Australian financial services license that covers making a market in the hedged product or is exempt from the requirement to hold such a license for providing that financial service.

#### Conditions of the relief

##### *Securities lending arrangement*

5. When relying on the exemption of paragraph 4, MSASL must:
- a. by the end of the day (*sale day*) on which MSASL makes the sale of the shorted product:
    - i. have acquired a financial product equivalent to the shorted product; or
    - ii. have entered into a contract to acquire a financial product equivalent to the shorted product where MSASL has a right to have that financial product vested in MSASL that is conditional only upon all or any of the following:
      - A. payment of the consideration in respect of the acquisition;
      - B. the receipt by MSASL of a proper instrument of transfer in respect of the product;
      - C. the receipt by MSASL of the documents that are, or are documents of title to, the product; or
    - iii. have entered into a securities lending arrangement in relation to a financial product equivalent to the shorted product,so that the shorted product or an equivalent product can be unconditionally vested in the purchaser of the shorted product by the time for delivery; and

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- b. if paragraph (a) has not been satisfied, notify ASIC in writing by 9:00 am on the business day after the sale that paragraph (a) has not been satisfied.

*Positional reporting*

- 5A. Subject to paragraph 5D, when relying on the exemption in paragraph 4, MSASL must give to ASIC, in the form required by ASIC, particulars of MSASL's short position in relation to the shorted product as at 7:00 pm, three reporting days before the day the particulars must be given under paragraph 5B.
- 5B. MSASL must give the particulars about the short position:
  - a. on or before 9:00 am on the third reporting day after entering into the agreement to sell that causes the short position to occur; and
  - b. on or before 9:00 am on each subsequent reporting day as long as MSASL has a short position.
- 5C. Subparagraph 5B(b) applies whether or not the particulars about the short position have changed from that given on the previous day.
- 5D. If MSASL:
  - a. is required by subsection 1020AB(3) of the Act to give particulars of MSASL's short position on a day in relation to a security or product that is in the same class as the shorted product; or
  - b. has a short position in relation to the shorted product on a day that does not exceed the value limit and the volume limit on the day;then MSASL does not have to comply with paragraph 5A in relation to the short position.

*Other conditions*

- 5AA. MSASL must notify ASIC, within 14 days, of any of the following occurrences:
  - a. any material change to the terms of the ISDA Master Agreement referred to in paragraph 4(c);
  - b. the entry into any other agreement to replace the ISDA Master Agreement referred to in paragraph 4(c);
  - c. the replacement of MSIP with a successor entity.

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6. MSASL must provide written notice to ASIC within 28 days from the date upon which MSASL becomes aware that MSIP has ceased to conduct the business described in paragraph 4, being the conduct for which this waiver was requested.

**Interpretation**

7. In this instrument:

*makes a market* has the meaning given by section 766D of the Act.

*MSIP* means Morgan Stanley & Co. International plc or any successor entity notified to ASIC under paragraph 5AA to which ASIC has not objected within 28 days.

*reporting day* has the meaning given by subregulation 7.9.99(1) of the *Corporations Regulations 2001*.

*securities lending arrangement* means an arrangement under which:

- a. one entity (the *lender*) agrees that it will:
  - i. deliver particular securities, or other financial products to another entity (the *borrower*) or to an entity nominated by the borrower; and
  - ii. vest title in those products in the entity to which they are delivered; and
- b. the borrower agrees that it will, after the lender does the things mentioned in paragraph (a):
  - i. deliver the products (or equivalent products) to the lender or to an entity nominated by the lender; and
  - ii. vest title in those products (or those equivalent products) in the entity to which they are delivered.

*short position* has the meaning given by subregulation 7.9.99(2) of the *Corporations Regulations 2001*.

8. In paragraph 5D:

- a. the *value limit* in relation to a person for a security or managed investment product that is able to be traded on a financial market is not exceeded on a day if:

A x B

Does not exceed \$100,000 where:



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A = the person's short position in relation to the security or product as at 7:00 pm on the day.

B = either:

- i. the last sale price for the security or product on the financial market on the day (or, if there is no such price on that day, the last sale price on the financial market); or
  - ii. the price determined and published by the operator of the market after the close of trading for the day as the value of the security or product on the day.
- b. the *volume limit* in relation to a person for a security or managed investment product that is able to be traded on a financial market is not exceeded on a day if:

$\frac{A}{B} \times 100$

B

does not exceed 0.01 where:

A = the person's short position in relation to the security or product as at 7:00 pm on the day.

B = the total quantity of securities or products in the same class of securities or products on the day.

Dated this 5th day of December 2013



Signed by Nicole Pyner, as a delegate of the Australian Securities and Investments Commission

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**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 655A(1)(b) – Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument [13/1548].

**Commencement**

3. This instrument commences on 4 December 2013.

**Declaration**

4. Section 617 of the Act applies to Cockatoo Coal Limited ACN 112 682 158 (*Cockatoo*) as if it were modified or varied by inserting after subsection 617(2) of the subsection:

“(2A) The bid may also extend to all securities that come to be in the bid class during the period from the date set by the bidder under subsection 633(2) to the end of the offer period due to the issue of securities in the bid class under the performance rights issued under the arrangement known as the Blackwood Performance Rights Plan that is operated by the target prior to the date set by the bidder under subsection 633(2).”; and

5. Section 636 of the Act applies to the Cockatoo as if it were modified or varied by inserting after paragraph 636(1)(j) the following paragraph:

“(ja) if the bid is to extend to securities that come to be in the bid class during the period from the date set by the bidder under subsection 633(2) to the end of the offer period due to the issue of securities in the bid class under the performance rights issued under the arrangement known as the Blackwood Performance Rights Plan that is operated by the target prior to the date set by the bidder under subsection 633(2) (see subsection 617(2A)) – a statement to that effect;”.

**Where this declaration applies**

6. This declaration applies to Cockatoo’s offer for all the ordinary shares in Blackwood Corporation Limited ACN 103 651 538 under the bidder’s statement lodged with ASIC on 25 November 2013.

Dated this 4<sup>th</sup> day of December 2013

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

13-1553

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1553.

**Commencement**

3. This instrument commences on 6 December 2013.

**Exemption**

4. Leyshon Resources Limited ACN 010 482 274 (*issuer*) does not have to comply with Parts 6D.2 and 6D.3 of the Act for an offer of securities in Leyshon Energy Limited (*LEL*) by the issuer to shareholders of the issuer.

**Declaration**

5. Chapter 6D of the Act applies to holders of securities in LEL as if section 707 of the Act were modified or varied:

(a) by omitting subsection 707(3), and substituting:

"(3) An offer of a body's securities for sale within 12 months after their issue needs disclosure to investors under this Part if the body issued the securities:

- (a) without disclosure to investors under this Part; and
  - (b) with the purpose of the person to whom they were issued selling or transferring them, or granting, issuing or transferring interests in, or options or warrants over, them;
- and section 708 or 708A does not say otherwise."; and

(b) by omitting subsection 707(4), and substituting:

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

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**Where this instrument applies**

6. This instrument applies in connection to an offer made by the issuer to its shareholders for an in-specie distribution of fully paid ordinary shares held by the issuer in LEL, the terms of which are substantially in the same form as those in a notice of meeting provided to ASIC on 21 November 2013, appending an independent expert's report substantially in the same form as that provided to ASIC on 3 December 2013, and where the meeting is to be held on or after 13 January 2014.

Dated 6 December 2013



Signed by Fiona Ng

As a delegate of the Australian Securities and Investments Commission

13-1555

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 601QA(1)(a), 601QA(1)(b) and 1020F(1) –  
Exemption and Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1555.

**Commencement**

3. This instrument commences on execution.

**Exemption**

4. Arena Investment Management Limited ACN 077 235 879 (*AIML*) in its capacity as responsible entity of the Sydney Healthcare Trust ARSN 101 067 878 (*SHCT*) and Arena REIT ARSN 106 891 641 (*ARF*) 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.

**Declaration**

5. Chapter 5C of the Act applies to AIML in its capacity as responsible entity SHCT and ARF as if that Chapter were modified or varied as follows:

- (a) after section 601FE insert:

**“601FEA Modification of duties: stapled securities**

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

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detriment to the members of the scheme is an obligation not to do those things in order to cause detriment to the members of the scheme having regard to their membership of both schemes.”;

- (b) in section 601GAA as notionally inserted by ASIC Class Order [CO 05/26]:
- (i) in subsection (1) omit “subsections (2) to (8).”, substitute “subsections (2) to (8) and (9A).”;
  - (ii) after subsection (9) insert:

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

    - (a) the constitution makes provision for the issue price of stapled securities;
    - (b) the constitution provides that the responsible entity may allocate a proportion of the issue price of the stapled securities to the interests in the scheme;
    - (c) the stapled securities are issued at a price, or in accordance with a formula or method that is to be used to calculate the issue price of stapled securities, which is set out in the constitution; and
    - (d) the responsible entity allocates a proportion of the issue price of the stapled securities to the interests in accordance with the constitution.”;
- (c) after subsection 208(2) as notionally inserted by section 601LC, insert:
- “(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if all the following conditions are satisfied:
- (a) the benefit either:
    - (i) is given out of the scheme property of a registered scheme; or
    - (ii) could endanger the scheme property;
  - (b) all of the interests in the scheme and all of the interests in another registered scheme are components of stapled securities;
  - (c) the benefit is given by:

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- (i) the responsible entity of the scheme; or
  - (ii) an entity that the responsible entity controls; or
  - (iii) an agent of, or person engaged by, the responsible entity;
- (d) the benefit is given to:
- (i) an entity wholly owned, whether directly or indirectly, by the scheme; or
  - (ii) the other scheme or an entity that is wholly owned, whether directly or indirectly, by the other scheme; or
  - (iii) an entity wholly owned, whether directly or indirectly, jointly by the scheme and the other scheme.
- (2B) For the purposes of this section:
- (a) an entity is wholly owned by another entity if all of the shares or interests (as applicable) in the first-mentioned entity are held by, or held by a nominee for (in the case of the second-mentioned entity being a company), or form part of the trust property of (in the case of the second-mentioned entity being a trust), the second-mentioned entity or a wholly owned entity of it; and
  - (b) a reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries.”;
- (d) insert after section 601PC:

**“601PD      Stapled securities**

For the purposes of this Chapter:

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

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

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6. Part 7.9 of the Act applies in relation to AIML in its capacity as responsible entity of SHCT and ARF as if paragraph 1012D(3)(b) were modified or varied as follows:
- (a) omit “either.”, substitute “one or more of the following applies.”;
  - (b) in subparagraph (i) omit “or” (second occurring);
  - (c) in subparagraph (ii) omit “facility.”, substituting “facility.”;
  - (d) after subparagraph (ii) insert:
    - “(iii) in a recommendation situation—the advice that constitutes the relevant conduct relates to an offer of managed investment products, under a plan for the reinvestment of at least one of the following:
      - (A) distributions in respect of the managed investment products;
      - (B) distribution in respect of other managed investment products which, under the terms on which they may be traded, must only be transferred together with the managed investment products;
    - (iv) in an issue situation—the offer or issue that constitutes the relevant conduct is an offer or issue of managed investment products, under a plan for the reinvestment of at least one of the following:
      - (A) distributions in respect of the managed investment products;
      - (B) distribution in respect of other managed investment products which, under the terms on which they may be traded, must only be transferred together with the managed investment product .”.

**Where this exemption applies**

- 7. The Transaction is implemented on terms that allow AIML to determine that a Foreign Unitholder is to be excluded from participating in the Transaction.
- 8. AIML reasonably concludes and documents its conclusions in writing that:



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- (a) it would be unlawful (under the laws of the relevant foreign jurisdiction) for Foreign Unitholders to be offered or issued interests in SHCT or ARF (as a component of the Stapled Securities); or
  - (b) it would be unduly onerous on AIML for Foreign Unitholders to participate in the Transaction having regard to:
    - i. the number of holders of SHCT and ARF in that jurisdiction;
    - ii. the number and value of SHCT units and ARF units held by Foreign Unitholders in that jurisdiction; and
    - iii. the cost of and process for seeking advice as to the requirements for doing so in relation to those jurisdictions and/or the cost of complying with legal requirements and the requirements of any relevant regulatory authority applicable to Foreign Unitholders participating in the Transaction in that jurisdiction; and
  - (c) having regard to the rights and interests of all members of SHCT and ARF, it would be in the best interests of all members of SHCT and ARF to treat Foreign Unitholders as set out in paragraph 9.
9. Where AIML has determined that a holder of units of SHCT units or ARF units is a Foreign Unitholder, Stapled Securities are transferred to AIML to sell on the ASX, with the proceeds of such sales being remitted to the Foreign Unitholder on terms described in the Explanatory Memorandum.

**Where this declaration applies**

- 10. The declaration in paragraph 5 applies where each interest in the scheme must, under the terms upon which it is to be traded, only be transferred with each interest in the other scheme.
- 11. The declaration in paragraph 6 applies to offers or issues of, and recommendations to acquire, managed investment products in relation to the scheme or managed investment products in relation to the other scheme, under a plan for the reinvestment of distributions in respect of the schemes, where under the terms on which the managed investment products in relation to the scheme and the managed investment products in relation to the other scheme are to be traded, they must only be transferred together.

**Interpretation**

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

*Disclosure Document* means the product disclosure statement issued by AIML on or about 1 November 2013.

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**Explanatory Memorandum** means the notice of meeting and explanatory memorandum issued by AIML in its capacity as the responsible entity of SHCT and ARF dated 1 November 2013, in respect of the Transaction.

**Foreign Unitholders** means a holder of Stapled Securities on the Stapling Record Date whose address in the relevant register is a place outside Australia or New Zealand.

**Stapling Record Date** means Tuesday 17 December 2013 or such other time as agreed between SHCT, ARF and AIML and permitted by the ASX.

**Stapled Securities** means a unit in SHCT and a unit in ARF which must, under the terms upon which each are traded, only be transferred together.

**Transaction** means the transaction comprising the stapling of the units in SHCT and ARF and the offer of those securities as Stapled Securities under the terms and circumstances detailed in the Explanatory Memorandum and Disclosure Document, where the stapling and offer are approved by resolutions passed at a meeting of members of SHCT and ARF on or around 9 December 2013 to amend the constitutions of SHCT and ARF.

**Dated this 6<sup>th</sup> day of December 2013**



**Signed by Tony Tran**  
as a delegate of the Australian Securities and Investments Commission

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

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 5 December 2013

**AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION****IN THE MATTER OF CLESTUS REMEGIUS WEERAPPAH****BANNING ORDER UNDER SECTIONS 920A AND 920B  
OF THE CORPORATIONS ACT 2001**

To: Mr Clestus Remegius Weerappah

**TAKE NOTICE** that under sections 920A(1) and s920B(2) of the Corporations Act 2001 the Australian Securities & Investments Commission prohibits Clestus Remegius Weerappah from providing any financial services permanently.

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

Signed: .....

John Mazurkiewicz  
Delegate of the Australian Securities &  
Investments Commission

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



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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:** CDM Pacific Pty Ltd  
ACN: 077 412 027 ("the Licensee")  
c/- Gerard Wilkes & Associates  
Level 1, 20 Welch Street  
Southport QLD 4215

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 223682 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 6<sup>th</sup> December, 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



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ASIC

Australian Securities & Investments Commission

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

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

**TO:** Parker George Management Pty Ltd  
ACN: 092 351 865 ("the Licensee")  
c/- Sheila Ponting CPA  
'Oxley Plaza' 455 Oxley Drive  
Runaway Bay QLD 4216

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 294399 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 6<sup>th</sup> December, 2013.

Signed .....

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



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**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:** Executive Choice Administration Pty Ltd  
ACN: 131 668 105 ("the Licensee")  
c/- Crase Consulting Group Pty Ltd  
Level 4, 18-20 Grenfell Street  
Adelaide SA 5000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 331124 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 6<sup>th</sup> December, 2013.

Signed .....

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

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

13-1565

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 655A(1)(b) — Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this declaration under paragraph 655A(1)(b) of the *Corporations Act 2001*(Cth) (*Act*).

**Title**

2. This instrument is ASIC Instrument 13-1565.

**Commencement**

3. This instrument commences on 9 December 2013.

**Declaration**

4. Chapter 6 of the Act applies to Tranzact Financial Services Limited ACN 089 997 731 (*Target*) as if:
  - (a) item 11 of the table in subsection 633(1) of the Act were modified or varied by omitting the words “15 days” and substituting them with “24 days”; and
  - (b) item 12 of the table in subsection 633(1) of the Act were modified or varied by omitting the words “15 days” and substituting them with “27 days”.

**Where this instrument applies**

5. The declaration in paragraph 4 applies where Gro-Aust Holdings Limited, a foreign company incorporated under the laws of New Zealand with Company Number 1262146, has:
  - (a) made an off-market takeover bid for all the ordinary shares in the Target in respect of which a bidder’s statement was lodged with ASIC on 6 November 2013 (*Offer*); and
  - (b) given a notice to ASX Limited ACN 008 624 691 (*ASX*), for release on the ASX Company Announcements Platform by 4.00pm Sydney, Australia time on the date of this instrument, which includes a statement to the effect that the closing date for the Offer will be extended to a time that is not before 7.00pm Sydney, Australia time on 6 January 2014.

**Conditions**

6. The Target must give a notice to the ASX, for release on the ASX Company Announcements Platform by 10.00am Sydney, Australia time on the next trading day following the date of this instrument:
  - (a) explaining the effect of the declaration; and

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- (b) recommending that Target holders do not accept offers or make any final decisions in relation to the Offer until they have received the Target's statement.

Dated this 9<sup>th</sup> day of December 2013



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



13/1567

**Australian Securities and Investments Commission  
Corporations Act—Paragraph 907D(2)(a)—Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 907D(2)(a) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument [13/1567].

**Commencement**

3. This instrument commences on the date Goldman Sachs Financial Markets Pty Ltd (ACN 107 084 640) (*GSFM*) registers or provisionally registers as a swap dealer with the US Commodity Futures Trading Commission in accordance with the *Commodity Exchange Act 1936 (US)*.

**Exemption**

4. *GSFM* does not have to comply with subrule 2.2.1(1) of the *ASIC Derivative Transaction Rules (Reporting) 2013 (Rules)* to the extent that subrule requires *GSFM* to report information about:
  - (a) each of its Reportable Transactions in accordance with the Transaction Reporting Requirements specified in Table S1.1 of the Rules that apply in relation to a Phase 1 Reporting Entity in Phase 1, as described in that Table; and
  - (b) each of its Reportable Positions in accordance with the Position Reporting Requirements specified in Table S1.2 of the Rules that apply in relation to a Phase 1 Reporting Entity in Phase 1, as described in that Table.

**Conditions**

5. It is a condition of the exemption in paragraph 4 of this instrument that *GSFM* must comply with the Rules as if *GSFM* is a Phase 2 Reporting Entity.
6. Without limiting paragraph 5 of this instrument, it is a condition of the exemption in paragraph 4 that *GSFM* must comply with subrule 2.2.1(1) of the Rules by reporting information about:
  - (a) each of its Reportable Transactions in accordance with the Transaction Reporting Requirements specified in Table S1.1 of the Rules that apply in relation to a Phase 2 Reporting Entity in Phase 2, as described in that Table, other than a Reportable Transaction that is a modification, termination or assignment referred to in paragraph (c);

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- (b) each of its Reportable Positions in accordance with the Position Reporting Requirements specified in Table S1.2 of the Rules that apply in relation to a Phase 2 Reporting Entity in Phase 2, as described in that Table; and
  - (c) each Reportable Transaction that is a modification, termination or assignment of a Reportable Position and that occurs before the applicable Position Reporting Date for that Reportable Position, in accordance with Rule 2.4.4.
7. It is a condition of the exemption in paragraph 4 of this instrument that, within one Business Day after the day on which GSFM becomes registered or provisionally registered as a swap dealer with the US Commodity Futures Trading Commission in accordance with the *Commodity Exchange Act 1936* (US), GSFM must give written notice to ASIC:
- (a) of such registration or provisional registration; and
  - (b) of the date of such registration or provisional registration.

#### Interpretation

8. In this instrument:

**Business Day** means a day that is not a Saturday, a Sunday or a public holiday or bank holiday in New South Wales.

**Phase 1 Reporting Entity** means a Reporting Entity that is an Australian Entity and that is registered or provisionally registered as a swap dealer with the US Commodity Futures Trading Commission in accordance with the *Commodity Exchange Act 1936* (US).

**Phase 2 Reporting Entity** means a Reporting Entity that:

- (a) is an Australian ADI, an AFS Licensee, a CS Facility Licensee, an Exempt Foreign Licensee or a Foreign ADI; and
  - (b) as at 31 December 2013 holds total gross notional outstanding positions of AUD \$50 billion or more; and
  - (c) is not required to report under Phase 1.
9. In this instrument, unless otherwise specified, capitalised terms have the meaning given by the Rules.

Dated this 12<sup>th</sup> day of December 2013



Signed by Oliver Harvey  
as a delegate of the Australian Securities and Investments Commission

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**Australian Securities and Investments Commission  
Corporations Act 2001 - Paragraph 741(1)(b) and 1020F(1)(c) - Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1568.

**Commencement**

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

**Declaration**

4. Part 6D.2 of the Act applies to a holder of HPI stapled securities as if section 707 were modified or varied by omitting subsections 707(5) and (6) and substituting:

"(5) An offer of a body's securities for sale within 12 months after their sale by a person (the *controller*) who controlled the body at the time of the sale needs disclosure to investors under this Part if:

(a) at the time of the sale by the controller either:

- (i) the securities were not quoted; or
- (ii) although the securities were quoted, they were not offered for sale in the ordinary course of trading on a relevant financial market on which they were quoted; and

(b) the controller sold the securities without disclosure to investors under this Part; and

(c) the controller sold the securities with the purpose of the person to whom they were sold:

- (i) selling or transferring the securities; or
- (ii) granting, issuing or transferring interests in, or options or warrants over the securities;

and section 708 does not say otherwise.

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- (6) Unless the contrary is proved, a person who controls a body is taken to sell securities with the purpose referred to in paragraph (5)(c) if any of the securities are subsequently sold, or offered for sale, within 12 months after their sale by the controller."
5. Part 7.9 of the Act applies in relation to a holder of HPI stapled securities as if section 1012C of the Act were modified or varied by omitting subsections 1012C(8) and (9) and substituting:
- "(8) This subsection covers the circumstances in which:
- (a) the offer is made within 12 months after the sale of the financial product by a person (the *controller*) who controlled the issuer of the product at the time of the sale; and
  - (b) either:
    - (i) at the time of the sale by the controller, the product was not able to be traded on any licensed market; or
    - (ii) although the product was able to be traded on a licensed market at that time, the sale by the controller did not occur in the ordinary course of trading on a licensed market; and
  - (c) a Product Disclosure Statement was not prepared by, or on behalf of, the controller before the sale of the product by the controller; and
  - (d) the controller sold the product with the purpose of the person to whom it was sold:
    - (i) selling or transferring the product; or
    - (ii) granting, issuing or transferring interests in, or options or warrants over, the product.
- (9) Unless the contrary is proved, financial products are taken to be sold with the purpose referred to in paragraph 8(d) if any of the products are subsequently sold, or offered for sale, within 12 months after their sale by the controller."

**Where this instrument applies**

6. This instrument applies to:
- (a) an offer to sell HPI stapled securities made within 12 months after the sale by the Vendors; and

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- (b) where the Vendor sold the HPI stapled securities on or around 10 December 2013 without disclosure under Part 6D.2 of the Act for the shares in Hotel Property Investments Limited ACN 010 330 515 (the *body*) and without a Product Disclosure Statement under Part 7.9 of the Act for the interests in the Hotel Property Investments Trust ARSN 166 484 377 (the *scheme*) in circumstances where no disclosure document or Product Disclosure Statement was required to be given under the Act.
7. Despite paragraph 6, this instrument does not apply to a sale offer of HPI stapled securities made within 12 months after a sale or transfer of the HPI stapled securities by a person other than the Vendor who:
- (a) controls the body;
- (b) would have been required by subsection 707(2) of the Act to give disclosure to investors under Part 6D.2 of the Act but for section 708 of the Act; and
- (c) did not give disclosure to investors under Part 6D.2 of the Act because of section 708 of the Act.

**Interpretation**

8. In this instrument:

*HPI stapled security* means an interest in the scheme and a share in the body, which, on the terms on which each are to be traded, must only be transferred together.

*Vendor* means Redcape Property Fund Pty Limited ACN 124 753 733, The Trust Company (RE Services) Limited ACN 003 278 831 as responsible entity of The Regatta No. 2 Trust and The Trust Company (PTAL) Limited ACN 008 412 913 as custodian for The Trust Company (RE Services) Limited ACN 003 278 831 as responsible entity of The Regatta No. 2 Trust.

Dated this 10<sup>th</sup> day of December 2013



Signed by Leah Quach  
as a delegate of the Australian Securities and Investments Commission

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**Australian Securities and Investments Commission  
Corporations Act 2001 - Subsection 741(1) and 1020F(1) - Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under subsections 741(1) and 1020F(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 13-1569.

**Commencement**

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

**Declaration**

4. Chapter 6D of the Act applies to Hotel Property Investments Limited ACN 010 330 515 (the *body*) as if that Chapter were modified or varied by omitting paragraph 708(13)(b) and substituting:
  - “(b) an offer of fully-paid shares in a body to 1 or more existing holders of shares in the body, under a plan for the reinvestment of at least one of the following:
    - (i) dividends in respect of shares in the body;
    - (ii) distributions in respect of managed investment products which, under the terms on which they may be traded, must only be transferred together with shares in the body.”.
5. Part 7.9 of the Act applies in relation to The Trust Company (RE Services) Limited ACN 003 278 831 in its capacity as responsible entity of Hotel Property Investments Trust ARSN 166 484 377 (the *scheme*) as if paragraph 1012D(3)(b) were modified or varied as follows:
  - (a) omit “either:”, substitute “one or more of the following applies:”;
  - (b) in subparagraph (i) omit “or” (second occurring);
  - (c) in subparagraph (ii) omit “facility.”, substituting “facility;”;
  - (d) after subparagraph (ii) insert:
    - “(iii) in a recommendation situation—the advice that constitutes the relevant conduct relates to an offer of managed investment

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products, under a plan for the reinvestment of at least one of the following:

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

**Where this declaration applies**

6. This declaration applies to offers or issues of, and recommendations to acquire, shares in the body or interests in the scheme, under a plan for the reinvestment of dividends in respect of shares in the body or distributions in respect of interests in the scheme, where under the terms on which a share in the body and an interest in the scheme are to be traded, they must only be transferred together.

Dated this 10<sup>th</sup> day of December 2013



Signed by Leah Quach  
as a delegate of the Australian Securities and investments Commission

13-1570

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1570.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to The Trust Company (RE Services) Limited ACN 003 278 831 in its capacity as the responsible entity of Hotel Property Investments Trust ARSN 166 484 377 (the *scheme*) as if the following provisions of that Chapter were modified or varied:

- (a) after section 601FE insert:

**“601FEA      Modification of duties: stapled securities**

- (1) This section applies to a registered scheme where the interests in the scheme and shares in a company are components of stapled securities.
  - (2) For the purposes of paragraphs 601FC(1)(c) and 601FD(1)(c), an obligation to act in the best interests of the members of the scheme is an obligation to act in the best interests of the members of the scheme having regard to their interests as members of the scheme and of the company.
  - (3) For the purposes of paragraphs 601FC(1)(e), 601FD(1)(d) and 601FD(1)(e), and subsection 601FE(1), an obligation to not make use of information, or not make improper use of position, in order to cause detriment to the members of the scheme is an obligation not to do those things in order to cause detriment to the members of the scheme having regard to their membership of both the scheme and the company.”;
- (b) after subsection 208(2) as notionally inserted by section 601LC, insert:



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

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

(2B) For the purposes of this section:

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

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- (c) insert after section 601PC:

**“601PD      Stapled securities**

For the purposes of this Chapter:

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

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

**Where this declaration applies**

4. This declaration applies where each interest in the scheme must, under the terms upon which it is to be traded, only be transferred with a share in Hotel Property Investments Limited ACN 010 330 515 (the *company*).

**Where this declaration ceases to apply**

5. This declaration ceases to apply if:
- (a) a component of a stapled security is issued which on the terms on which it is traded can be transferred separately without also transferring any other component; or
- (b) interests in any class, other than the class of interests in the scheme and shares in the company that are already on issue as at the date of this instrument, are issued.

**Interpretation**

6. In this instrument:

*stapled security* means an interest in the scheme and a share in the company which, under the terms on which each is to be traded, must be transferred together.

Dated this 10<sup>th</sup> day of December 2013



Signed by Leah Quach  
as a delegate of the Australian Securities and investments Commission

13-1571

**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 13-1571

**Commencement**

3. This instrument commences on 10 December 2013.

**Declaration**

4. Chapter 6D of the Act applies to WAG Limited ACN 008 666 233 (the *Issuer*) as if Part 6D.2 were modified or varied as follows:
  - a) omit paragraph 723(3)(b), substitute:
    - “(b) the securities are not admitted to quotation within 3 months after the later of:
      - (i) the date of the disclosure document; and
      - (ii) the date of the latest supplementary disclosure document for the offer lodged with ASIC which:
        - (A) discloses that all securities are not admitted to quotation; and
        - (B) gives the applicant 1 month to withdraw their application and be repaid”;
  - b) in paragraph 724(1)(a), omit the words “and that condition is not satisfied within 4 months after the date of the disclosure document”, substitute:
    - “and that condition is not satisfied within 4 months after the later of:
      - (iii) the date of the disclosure document; and
      - (iv) the date of the latest supplementary disclosure document for the offer lodged with ASIC which:
        - (A) discloses that the condition has not been satisfied; and
        - (B) gives the applicant 1 month to withdraw their application and be repaid”;
  - c) omit subparagraph 724(1)(b)(ii), substitute:
    - “(ii) the securities are not admitted to quotation within 3 months after the later of:
      - (A) the date of the disclosure document; and
      - (B) the date of the latest supplementary disclosure document for the offer lodged with ASIC that discloses that the securities are not

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admitted to quotation and gives applicants 1 month to withdraw their application and be repaid"; and

d) after subsection 724(1A), insert:

“(1B) Where a supplementary disclosure document of the kind referred to in subparagraphs (1)(a)(iv) or (1)(b)(ii)(B) is lodged with ASIC, the person offering the securities must give the applicants:

- (i) that supplementary disclosure document; and
- (ii) 1 month to withdraw their application and be repaid.”.

**Where this instrument applies**

5. This instrument applies in relation to an offer or issue of securities of the Issuer under a disclosure document lodged with ASIC on 2 October 2013 where the issuer has lodged a supplementary disclosure document on or after the date of this instrument which describes the need for, and effect of, the relief provided in this instrument.

Dated this 10<sup>th</sup> day of December 2013



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Signed by Michelle Verdon

as a delegate of the Australian Securities and Investments Commission

## 13-1572

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

**Enabling Legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1572.

**Commencement**

3. This instrument commences on 10 December 2013.

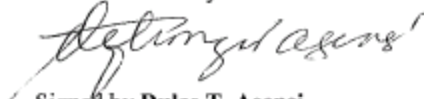
**Declaration**

4. Chapter 5C of the Act applies to GDI Funds Management Limited ACN 107 354 003 (*GDI FM*) in its capacity as responsible entity of the GDI Property Trust ARSN 166 598 161 (the *Scheme*) as follows:
  - (a) deleting Part 5C.6; and
  - (b) deleting the words "if the right may be exercised while the scheme is liquid (as defined in section 601KA) –" in paragraph 601GA(4)(b);
  - (c) deleting "; and" and substituting "." in paragraph 601GA(4)(b); and
  - (d) deleting paragraph 601GA(4)(c).

**Where this instrument applies**

5. This instrument applies in relation to the request or the deemed request by members of the Scheme to withdraw their interest in the Scheme in connection with the rollover offer on terms and conditions disclosed in the prospectus and the product disclosure statement lodged with ASX Limited ACN 008 624 691 by GDI FM and the Scheme on 25 November 2013.

Dated this 10<sup>th</sup> day of December 2013.



Signed by **Dulce T. Asensi**  
as a delegate of the Australian Securities and Investments Commission

13-1573

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1573.

**Commencement**

3. This instrument commences on 10 December 2013.

**Declaration**

4. Part 7.9 of the Act applies to GDI Funds Management Limited ACN 107 354 003 (*GDI FML*) in its capacity as responsible entity of the GDI Property Trust ARSN 166 598 161 (the *Scheme*) as if subsection 1017E(2) as notionally inserted by subregulation 7.9.08(4) of the *Corporations Regulations 2001* were modified or varied as follows:

- (a) at the beginning of paragraph 1017E(2)(b), insert "subject to paragraph (ba),"; and
- (b) after paragraph 1017E(2)(b), insert:

"(ba) any money may be paid into the account, provided that:

- (i) money paid to acquire the financial product together with any securities or financial products that must, under the terms on which the financial product is to be traded, be transferred with the financial product; and
- (ii) any other money to which this section applies; and
- (iii) interest on the amount from time to time standing to the credit of the account,

is identified and held in accordance with all other provisions of this section; and".

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**Where this instrument applies**

5. This instrument applies where:

- (a) each ordinary interest in the Scheme must, under the terms upon which it is to be traded, only be transferred with shares in GDI Property Group Limited ACN 166 479 189 (*GDI PG*) (together, *Stapled Security*); and
- (b) GDIFML receives money paid to acquire Stapled Securities.

**Where this declaration ceases to apply**

6. This declaration ceases to apply if:

- (a) a component of a Stapled Security is issued which on the terms on which it is traded, can be transferred separately without also transferring any other component; or
- (b) any interest in the scheme (other than an ordinary interest) or any share in GDI PG (other than an ordinary share) is issued.

Dated this 10<sup>th</sup> day of December 2013.Signed by **Dulce Asensi**

as a delegate of the Australian Securities and Investments Commission

13-1574

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 13-1574.

**Commencement**

3. This instrument commences on 10 December 2013.

**Declaration**

4. Chapter 5C of the Act applies to GDI Funds Management Limited ACN 107 354 003 in its capacity as responsible entity of the GDI Property Trust ARSN 166 598 161 (the *scheme*) as if the following provisions of that Chapter were modified or varied:

- (a) omit paragraph 601FC(1)(c) and substitute:

"(c) act in the best interests of members (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where the shares and interests in the scheme are components of a stapled security), and, if there is a conflict between the members' interests and its own interests, give priority to the members' interests; and"; and

- (b) omit paragraph 601FC(1)(e) and substitute:

"(e) not make use of information acquired through being the responsible entity in order to:

- (i) gain an improper advantage for itself or another person; or
- (ii) cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where the shares and interests in the scheme are components of a stapled security); and"; and

- (c) omit paragraphs 601FD(1)(c), 601FD(1)(d) and 601FD(1)(e) and substitute:



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- "(c) act in the best interests of members (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where the shares and interests in the scheme are components of a stapled security) and, if there is a conflict between the members' interests and the interests of the responsible entity, give priority to the members' interests; and
- (d) not make use of information acquired through being an officer of the responsible entity in order to:
  - (i) gain an improper advantage for the officer or another person; or
  - (ii) cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where the shares and interests in the scheme are components of a stapled security); and
- (c) not make improper use of their position as an officer to gain, directly or indirectly, an advantage for themselves or for any other person or to cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where the shares and interests in the scheme are components of a stapled security); and"; and
- (d) omit paragraphs 601FE(1)(a) and 601FE(1)(b) and substitute:
  - "(a) make use of information acquired through being an employee of the responsible entity in order to:
    - (i) gain an improper advantage for the employee or another person; or
    - (ii) cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where the shares and interests in the scheme are components of a stapled security); or
  - (b) make improper use of their position as an employee to gain, directly or indirectly, an advantage for themselves or for any other person or to cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in a company, where interests in the scheme are components of a stapled security)."; and
- (e) insert after subsection 208(2) of the Act as notionally inserted by section 601LC:

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

- (a) the benefit either:
  - (i) is given out of the scheme property of a registered scheme; or
  - (ii) could endanger the scheme property;
- (b) all of the interests in the scheme and all of the shares in a company (the *Company*) are components of a stapled security;
- (c) the benefit is given by:
  - (i) the responsible entity of the scheme; or
  - (ii) an entity that the responsible entity controls; or
  - (iii) an agent of, or person engaged by, the responsible entity;
- (d) the benefit is given to:
  - (i) the *Company*, or to any wholly owned entity of the *Company*; or
  - (ii) the scheme or an entity that is wholly owned, whether directly or indirectly, by the other scheme; or
  - (iii) any entity which is wholly owned by one or more of the persons described in paragraphs (i) and (ii) above.

(2B) For the purposes of this section:

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

13-1574

- (g) insert after section 601PC:

**“601PD      Stapled securities**

For the purposes of this Chapter:

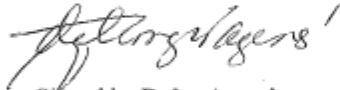
*stapled security* means two or more financial products including at least one interest in a registered scheme where:

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

**Where this declaration applies**

5. This declaration applies where each interest in the scheme must, under the terms upon which it is to be traded, only be transferred with shares in GDI Property Group Limited ACN 166 479 189.

Dated this 10<sup>th</sup> day of December 2013.



Signed by **Dulce Asensi**

as a delegate of the Australian Securities and Investments Commission

13-1575

**Australian Securities and Investments Commission  
Corporations Act 2001 - Subsection 741(1) and 1020F(1) - Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under subsections 741(1) and 1020F(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 13-1575.

**Commencement**

3. This instrument commences on 10<sup>th</sup> December 2013.

**Declaration**

4. Chapter 6D of the Act applies to GDI Property Group Limited ACN 166 479 189 (the *body*) as if that Chapter were modified or varied by omitting paragraph 708(13)(b) and substituting:
  - “(b) an offer of fully-paid shares in a body to 1 or more existing holders of shares in the body, under a plan for the reinvestment of at least one of the following:
    - (i) dividends in respect of shares in the body;
    - (ii) distributions in respect of managed investment products which, under the terms on which they may be traded, must only be transferred together with shares in the body.”.
5. Part 7.9 of the Act applies to GDI Funds Management Limited ACN 107 354 003 in its capacity as responsible entity of the GDI Property Trust ARSN 166 598 161 (the *scheme*) as if:
  - (a) subsection 1010A(1) were modified by omitting “section 1017F” and substituting “sections 1012D and 1017F,”; and
  - (b) subsection 1012D(3) were modified by:
    - (i) omitting “either” at the beginning of paragraph 1012D(3)(b) and substituting “one or more of the following applies”;
    - (ii) omitting “or” at the end of subparagraph 1012(3)(b)(i);

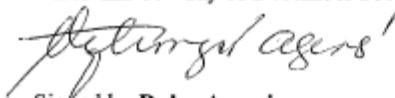
## 13-1575

- (iii) omitting “.” at the end of subparagraph 1012D(3)(b)(ii) and substituting “;”;
- (iv) after subparagraph 1012D(3)(b)(ii) inserting:
  - “(iii) in a recommendation situation — the advice that constitutes the relevant conduct relates to an offer of interests in a registered managed investment scheme, under a plan for the reinvestment of at least one of the following:
    - (A) distributions in respect of interests in the scheme;
    - (B) dividends in respect of shares in a body which, on the terms on which they may be traded, must only be transferred together with interests in the scheme;
  - (iv) in an issue situation - the offer or issue that constitutes the relevant conduct is an offer or issue of interests in a registered managed investment scheme, under a plan for the reinvestment of at least one of the following:
    - (A) distributions in respect of interests in the scheme;
    - (B) dividends in respect of shares in a body which, on the terms on which they may be traded, must only be transferred together with interests in the scheme.”.

**Where this instrument applies**

5. This declaration applies to offers or issues of, and recommendations to acquire, shares in the body or interests in the scheme, under a plan for the reinvestment of dividends in respect of shares in the body or distributions in respect of interests in the scheme, where under the terms on which a share in the body and an interest in the scheme are to be traded, they must only be transferred together.

Dated this 10<sup>th</sup> day of December 2013.



Signed by **Dulce Asensi**  
as a delegate of the Australian Securities and Investments Commission

13-1576

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 655A(1)(b) - Declaration**

**Enabling Legislation**

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

**Title**

2. This instrument is ASIC Instrument [13-1576].

**Commencement**

3. This instrument commences on 11 December 2013.

**Declaration**

4. Chapter 6 of the Act applies to Credit Suisse (Singapore) Limited, DBS Bank Ltd., and J.P. Morgan (S.E.A.) Limited (each being a company incorporated in Singapore) (together the **Joint Lead Managers**) as if section 609 of the Act, as modified or varied by ASIC Class Order [CO 13/520], were further modified or varied by inserting after subsection (13) (as notionally inserted by [CO 13/520]):

“(14) A person does not have a relevant interest in securities merely because they apply restrictions on the disposal of the securities by the holder.”

**Where this instrument applies**

5. Where, in order to comply with the requirements of the SGX Mainboard Rules, the Joint Lead Managers acquire a relevant interest in 202,621,028 securities in Linc Energy Limited ACN 076 157 045 (the **Company**) (the **Moratorium Securities**) as a result of each of the Security Holders entering into a moratorium agreement with the Joint Lead Managers in connection with the proposed listing of the Company on the official list of the SGX-ST (**Moratorium Agreement**) and where each of the Moratorium Agreements:
  - (a) restrict disposal of, but not the exercise of voting rights attached to, the Moratorium Securities;
  - (b) terminate no later than one year and two weeks after the commencement of trading of the Moratorium Securities on the SGX-ST;

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- (c) allows the Security Holders to accept into a takeover bid where the holders of at least half of the bid class securities that are not subject to the Moratorium Agreements, and to which the offer under the bid relates, have accepted;
  - (d) requires the Moratorium Securities to be re-subjected to the terms of the Moratorium Agreement in the event the takeover bid referred to at subparagraph (c) above does not become unconditional;
  - (e) allows the Moratorium Securities to be transferred or cancelled as part of a scheme of arrangement; and
  - (f) are substantially in the form provided to ASIC on 8 December 2013.
6. The Company makes an announcement to the Australian Securities Exchange's Market Announcements Platform no later than 11 December 2013 disclosing:
- (a) the material terms and operation of the Moratorium Agreements and the consequences of the Moratorium Agreements for members of the Company; and
  - (b) that the Company will be subjected to both the Singapore Code of Take-Overs and Mergers (**the Code**) and Chapter 6 of the Act and:
    - (i) the material differences between the Code and the Act;
    - (ii) the likely implications arising from these differences in the context of any potential takeover bid for the Company; and
    - (iii) the likely consequences for members of the Company; and
  - (c) where the members of the Company can access further information in relation to the matters set out at sub-paragraphs 6(a) and 6(b) above.

#### Interpretation

In this instrument:

**Security Holders** means Mr Peter Bond, Newtron Pty Ltd ACN 102 546 350 and ISNY Pty Ltd ACN 053 323 612;

**SGX-ST** means the Singapore Exchange Securities Trading Limited;

**SGX Mainboard Rules** means the Listing Manual of the SGX-ST.

Dated 11 December 2013



Signed by Ben Phillips  
as a delegate of the Australian Securities and Investments Commission

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**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 13-1580.

**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;



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- (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

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- (ii) “issuer” in paragraph 12 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 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 ASX Limited ACN 008 624 691 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;

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- (ii) where the acquisition price is specified in a foreign currency, the Australian dollar equivalent of that price at the date of the eligible offer; or
  - (iii) where the acquisition price is to be worked out in the future under a formula, the Australian dollar or Australian dollar equivalent of that price were the formula applied at the date of the eligible offer; and
- (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period 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;
  - (b) to receive a cash amount equivalent to the increase in market value of a fully-paid ordinary share in the capital of the issuer; or
  - (c) either to be issued a number of fully-paid ordinary shares in the capital of the issuer calculated by reference to the increase in market value of such a share or to receive a cash amount equivalent to the increase in market value of such a share;
- where the performance right is offered for no more than nominal monetary consideration;”.
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

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- (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;
  - (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;

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- (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 Buru Energy Limited Share Appreciation Rights Plan (under which the performance rights are referred to as share appreciation rights) the terms of which are substantially in the same form as those provided to ASIC by PricewaterhouseCoopers on behalf of the issuer on 10 December 2013; and
- (d) *issuer* means Buru Energy Limited ACN 130 651 437 and any related body corporate.

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



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



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**ASIC**

Australian Securities &amp; Investments Commission

**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 [13-1586].

**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

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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;
  - (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:

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- (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 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 Australian Securities 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:



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- (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, 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 increase in market value of a fully-paid ordinary share in the capital of the issuer; or
  - (c) to issued a number of fully-paid ordinary shares in the capital of the issuer calculated by reference to the increase in market value of a fully-paid ordinary share in the capital of the issuer; or
  - (d) to receive a combination of (b) and (c),
- where the performance right is offered for no more than nominal monetary consideration;”.

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**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 scheme 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:

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- (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 as defined in paragraph 8(b)(iv), made under an arrangement known as the Corporate Travel Management Limited Share Appreciation Rights Plan (under which the performance rights are referred to as "share appreciation rights"), the terms of which are substantially in the same form as those provided to ASIC on 10 December 2013; and
- (d) *issuer* means Corporate Travel Management Limited ACN 131 207 611 and any related body corporate.

Dated this 12th day of December 2013



Signed by Lorraine Mizzi  
as 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 thirteenth day of December 2013

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

IMPACTNATIONS AUSTRALIA INCORPORATED

158 399 172

ROBIN BARTSCH MINISTRIES INCORPORATED

088 845 103

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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 thirteenth day of December 2013

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

ALPHA AUSTRALIA SERVICES, LLC	149 640 620
BENARIS ENERGY N. V.	109 599 608
BENARIS PETROLEUM N.V.	113 569 029
BURO OFFICEWARE LIMITED	142 737 817
CYBELE LIMITED	127 155 533
DREDGING AND CONTRACTING ROTTERDAM B.V.	107 607 956
EUROPEAN DREDGING COMPANY S.A.	107 608 006
GREATSHIP SUBSEA SOLUTIONS SINGAPORE PTE. LTD.	147 432 184
NCP FINANCE AUSTRALIA, LLC	136 694 123
Q-FREE ASA	099 934 675

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CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this thirteenth day of December 2013

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

DATALINK CORPORATION	163 322 834
HENYEP CAPITAL MARKETS (UK) LIMITED	157 707 287
HEXCEL PACIFIC RIM CORPORATION	078 469 619
LAHOCA RESOURCES (AUSTRALIA)	150 517 034
MARO DEVELOPMENTS LIMITED	155 153 889
ROBUCK PATROL SERVICES LIMITED	147 593 566
ROBUCK SECURITY SERVICES LIMITED	126 697 201
SANRIC HOLDINGS LIMITED	152 585 030

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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.

**AUSTRALIAN CONSOLIDATED PRESS LIMITED** ACN 054 523 027 will change to a proprietary company limited by shares. The new name will be AUSTRALIAN CONSOLIDATED PRESS PTY LIMITED ACN 054 523 027.

**CALIBRE ASSET SERVICES LIMITED**  
ACN 093 866 534 will change to a proprietary company limited by shares. The new name will be CALIBRE ASSET SERVICES PTY LIMITED ACN 093 866 534.

**FUTURE CAPITAL DEVELOPMENT FUND LIMITED** ACN 081 825 470 will change to a proprietary company limited by shares. The new name will be FUTURE CAPITAL DEVELOPMENT FUND PTY LTD ACN 081 825 470.

**GRD LIMITED** ACN 009 201 754 will change to a proprietary company limited by shares. The new name will be GRD PTY LIMITED ACN 009 201 754.

**LAVA RESOURCES LIMITED**  
ACN 153 694 172 will change to a proprietary company limited by shares. The new name will be LAVA RESOURCES PTY LTD ACN 153 694 172.

**MORNINGTON WINERY GROUP LIMITED** ACN 139 148 940 will change to a proprietary company limited by shares. The new name will be WEEPING ELM WINES PTY LTD ACN 139 148 940.

**ROCKLANDS RICHFIELD LIMITED**  
ACN 057 121 749 will change to a proprietary company limited by shares. The new name will be ROCKLANDS RICHFIELD PTY LIMITED ACN 057 121 749.

**AUSTRALIAN LAMB COLAC GROUP HOLDINGS LTD** ACN 138 455 535 will change to a proprietary company limited by shares. The new name will be AUSTRALIAN LAMB COLAC GROUP HOLDINGS PTY LTD ACN 138 455 535.

**DOWELL WINDOWS LIMITED**  
ACN 004 069 523 will change to a proprietary company limited by shares. The new name will be DOWELL WINDOWS PTY LTD ACN 004 069 523.

**GC HOTEL MANAGEMENT LIMITED**  
ACN 102 623 076 will change to a proprietary company limited by shares. The new name will be GC HOTEL MANAGEMENT PTY LIMITED ACN 102 623 076.

**INTACEPT PTY LIMITED**  
ACN 128 058 695 will change to a public company limited by shares. The new name will be INTACEPT LIMITED ACN 128 058 695.

**MORGANS HOLDINGS (AUSTRALIA) PTY LIMITED** ACN 050 413 682 will change to a public company limited by shares. The new name will be MORGANS HOLDINGS (AUSTRALIA) LIMITED ACN 050 413 682.

**NORTHSTAR ENERGY LIMITED**  
ACN 116 498 401 will change to a proprietary company limited by shares. The new name will be NORTHSTAR ENERGY PTY LTD ACN 116 498 401.

**SEJESTER LTD.** ACN 155 246 772 will change to a proprietary company limited by shares. The new name will be SEJESTER PTY LTD ACN 155 246 772.