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ASIC

Australian Securities &
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RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the Corporations Act and the other legislation administered by ASIC may have rights of review. ASIC has published **Practice Note 57 [PN57] Notification of rights of review** and Information Sheet [INFO 1100] **ASIC decisions – your rights** to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at www.asic.gov.au or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C applies to the person mentioned in Schedule A in the case set out in Schedule B until 30 July 2007 as if section 601FL of the Act were modified or varied as follows:

1. delete from subsection (1) all the text after the word “it” and substitute the following text:

“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 company to be the new responsible entity to enable members to choose a company to be the new responsible entity in accordance with subsection (1A).”;
2. insert after subsection (1) the following subsection:

“(1A) The requirements for proposing a company to be the new responsible entity are as follows:

 - (a) The responsible entity must give members notice of a proposal to choose a company (the *proposed responsible entity*) to be the scheme’s new responsible entity.
 - (b) The notice to members must:
 - (i) set out:
 - (A) the responsible entity’s reasons for wanting to retire; and
 - (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; 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

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- (B) 100 members, who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a),

ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity within 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and

- (iii) be accompanied by a form which can be ticked to ask for a vote; and
- (iv) state prominently a reply paid address of the responsible entity to which the form may be sent.
- (c) 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.
- (d) 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 cast by members entitled 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 issue of the voting paper will be counted.
- (e) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed.”; and

3. insert after subsection (2), the following subsections:

“(2A) If a postal vote is arranged under paragraph (1A)(c) and at least 50% of the total votes cast by members entitled to vote at a meeting under

paragraph (1)(a) are cast in favour of the proposed responsible entity, that entity is taken for the purposes of subsection (2) to have been chosen by a resolution of members on the last day on which postal votes may be received in order to be counted.

(2B) If:

- (a) a company is proposed to be the new responsible entity in accordance with subsection (1A); and
- (b) the responsible entity is not obliged to either arrange a postal vote or convene a meeting because the requisition thresholds in subparagraph (1A)(b)(ii) are not satisfied; 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) ASIC must comply with the notice as soon as practicable after the notice is lodged."

Schedule A

Permanent Investment Management Limited ACN 003 278 831 (*PIML*) as the responsible entity of Asciano Finance Trust ARSN 124 102 807 (the *Scheme*).

Schedule B

The proposed retirement of PIML as responsible entity of the Scheme and PIML's appointment of Asciano Finance Limited ACN 123 180 450 (*AFL*) as the new responsible entity where:

1. A Scheme Booklet lodged with ASIC on or about 27 February 2007 is given at the time PIML makes an offer to issue interests in the Scheme, and which makes the following disclosures:
 - (a) PIML's reasons for wanting to retire and appointing AFL as its replacement; and
 - (b) information about the agreement between PIML and AFL regarding PIML's temporary appointment as responsible entity of the Scheme including details about fees, charges, commission or other benefits
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payable to PIML out of scheme property with regard to the temporary nature of PIML's appointment; and

- (c) such information as can reasonably be expected to be material to a member in forming a view as to the choice of AFL as the replacement responsible entity; and
- (d) such information about any significant characteristics or features of AFL that are relevant to the operation of the Scheme; and
- (e) information about any significant benefits or risks associated with the appointment of AFL; and
- (f) information about the potential risks to investors in the event AFL does not obtain an Australian financial services licence (*licence*) or members of the Scheme vote to retain PIML as responsible entity of the Scheme; and
- (g) statements to the effect that PIML has been granted relief from the requirement to hold a meeting of members in accordance with the Act subject to conditions which are to be explained in the Scheme Booklet; and
- (h) the name and contact details of AFL; and

2. PIML sends a notice to scheme members:

- (a) as soon as reasonably practicable after AFL is granted its licence authorising it to operate managed investment schemes; but
- (b) not before the time that interests in the Scheme are issued pursuant to an eligible application in the Scheme Booklet,

which discloses PIML's reasons for wanting to retire as responsible entity and appoint AFL as responsible entity and which gives members the right to require PIML to arrange for a postal vote on the proposed retirement and replacement of the responsible entity; and

- 3. no fees and charges are paid by the Scheme (other than fees paid to ASIC) in relation to the retirement and replacement of the responsible entity of the Scheme; and
- 4. PIML enters into an agreement with AFL under which PIML agrees that it will:
 - (a) subject to its legal obligations and to any member resolution which affects its ability to do so, operate the Scheme in a manner consistent with the investment objectives stated in the Scheme Booklet; and

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- (b) prepare and send the notice referred to in paragraph 2 of this Schedule;
and
5. AFL has executed a deed poll (*Deed*) for the benefit of and enforceable by ASIC undertaking, to the extent that it is responsible entity of the Scheme and subject to its legal obligations and to any member resolution which affects its ability to do so, to manage and operate the scheme in a manner consistent with statements made in the Scheme Booklet for a period of 12 months from the date it becomes responsible entity; and
6. ASIC has notified AFL that the Deed is adequate.

Interpretation

In this instrument:

Scheme Booklet means an explanatory statement for compromise or arrangement conducted under Part 5.1 of the Act approved at a meeting held as a result of an order under subsection 411(1) or (1A) of the Act.

Dated this 20th day of April 2007



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

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C applies to the person specified in Schedule A in its capacity as the responsible entity of the registered schemes specified in Schedule B in the case set out in Schedule C as if section 601FL of the Act were modified or varied as follows:

1. omit from subsection (1) all the text after the word “it” and 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 to be the new responsible entity in accordance with subsection (1A).”;
2. insert after subsection (1) the following subsection:
 - “(1A) The requirements for proposing a related body corporate to be the new responsible entity are as follows:
 - (a) The responsible entity must give members notice of a proposal to choose a company (the “proposed responsible entity”), which is a wholly owned subsidiary of the responsible entity’s holding company, to be the scheme’s new responsible entity.
 - (b) The notice to members must:
 - (i) set out:
 - (A) the responsible entity’s reasons for wanting to retire; and
 - (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; and
 - (C) 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

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(B) 100 members;

who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a), ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity within 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and

- (iii) be accompanied by a form which can be ticked to ask for a vote; and
- (iv) state prominently a reply paid address of the responsible entity to which the form may be sent.

(c) 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.

(d) 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;
- (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 issue of the voting paper will be counted.

(e) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed.”; and

3. insert after subsection (2), the following subsections:

“(2A) If a postal vote is arranged under paragraph (1A)(c) 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

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members on the last day on which postal votes may be received in order to be counted.

(2B) If:

- (a) a related body corporate is proposed to be the new responsible entity in accordance with subsection (1A); and
- (b) sufficient members do not 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 30 business days after the end of the period in which a member may ask for such a vote, the current responsible entity must lodge a notice with ASIC asking it to alter the record of the scheme's registration to name the proposed responsible entity as the scheme's responsible entity; and
- (e) the notice must be accompanied by a certificate from the current responsible entity that it reasonably considers that the appointment of the proposed responsible entity would be in the best interests of members with a summary of the responsible entity's reasons as to why this is the case; and
- (f) unless ASIC reasonably believes that the appointment of the proposed responsible entity would not be in the best interests of members, ASIC must comply with the notice as soon as practicable after the notice and summary are lodged."

Schedule A

Deutsche Asset Management (Australia) Limited ACN 076 098 596 (*DAMAL*)

Schedule B

RREEF Paladin Property Securities Fund ARSN 087 897 667

RREEF Global Property Securities Fund ARSN 110 908 506

RREEF Global (Ex-Australia) Property Securities Fund ARSN 110 908 793

Deutsche Australian Infrastructure Income Fund ARSN 121 694 648

Deutsche Global Credit Fund ARSN 089 474 840

Deutsche Monthly Income Plus Fund ARSN 120 895 801

Deutsche Global Equity Fund ARSN 089 476 004

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Deutsche Global Select Fund ARSN 087 762 623

Deutsche Global Equity Thematic Fund ARSN 090 379 105

Deutsche Global Equity Thematic Fund (Fully Hedged) ARSN 122 000 524

Deutsche Global Alpha Fund ARSN 119 320 400

Deutsche Global Small Companies Fund ARSN 090 378 804

Deutsche Australian Equity Long/Short Fund ARSN 098 180 851

DWS Global Equity Agribusiness Fund ARSN 124 220 202

Deutsche Strategic Value Fund ARSN 089 896 837

Deutsche Global Equity Opportunities Fund ARSN 096 603 502

Deutsche Retail Infrastructure Trust ARSN 094 752 806

Retail Equity Participation Scheme ARSN 094 993 861

Deutsche Australian Dividend Plus Fund ARSN 117 614 490

Deutsche Australian Equity Select Fund ARSN 118 221 195

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Schedule C

The proposed retirement of DAMAL as the responsible entity of the schemes specified in Schedule B and its proposed replacement by Deutsche Managed Investments Limited ACN 116 232 154, with its consent not later than 30 July 2007, and where the internet website of DAMAL prominently discloses information about the proposed timing of the proposed retirement and the manner in which the proposed retirement will occur.

Dated this 20th day of April 2007


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

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**Australian Securities and Investment Commission
Corporations Act 2001 - Paragraphs 655A(1)(b) and 673(1)(b) - Declaration**

Under paragraphs 655A(1)(b) and 673(1)(b) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) declares that Chapters 6 and 6C of the Act apply to the persons referred to in Schedule A in the case referred to in Schedule B as if section 609 of the Act were modified or varied by inserting after subsection 609(6) the following subsections:

- "(6A) A person does not have a relevant interest in securities merely because the person is a trustee who would otherwise have a relevant interest in securities as the trustee of a trust established pursuant to a trust deed under which units (*eligible units*) of interests in a managed investment scheme are issued or made available for the purpose of satisfying rights or obligations of the holder of eligible units despite:
- (a) the trustee having any of the following discretions under the terms of the trust deed relating to the eligible units:
 - (i) discretions as to the appointment of attorneys with power to execute documents on behalf of the trustee;
 - (ii) subject to satisfaction of certain conditions set out in the trust deed, an absolute discretion as to the manner and time for exercise of any of its functions;
 - (iii) discretions to make application to a court for discretions or assent to or oppose any application which is made relating to eligible units or to which the trustee becomes a party by virtue of it being a party to the trust deed;
 - (iv) discretion, for administrative purposes, to aggregate all the securities which relate to a single holder of eligible units;
 - (v) discretions as to the appointment of officers or engagement of agents, delegates, sub-contractors or experts to discharge all or any of the trustee's duties under the trust deed;
 - (vi) discretions in relation to the appointment of custodians or sub-custodians to procure safe custody of the class of securities; or
 - (b) the holder of the eligible unit not having a presently enforceable or unconditional right of the kind referred to in subsection 608(8);

where both of the following apply:

- (c) the trustee holds the securities on trust for the benefit of:
-

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- (i) the holder of the eligible units; and
 - (ii) the person who is owed the outstanding instalment amount plus interest on that amount (*instalment creditor*);
 - (d) if the trustee is entitled to exercise any discretions under the deed establishing the trust, it does so on ordinary commercial terms or in an ordinary commercial manner as the case requires.
- (6B) A person does not have a relevant interest in the class of securities merely because the person is the instalment creditor in respect of those securities where those securities are held on trust under the terms of issue of the eligible units, pursuant to which the instalment creditor has no power to control the voting or disposal of the security (other than to enforce the terms of the trust or where the holder of the eligible unit defaults) unless and until the eligible unit is cancelled.
- (6C) A person who issues eligible units does not have a relevant interest in securities that are held on trust under the terms of the eligible units merely because:
- (a) the person has the power to dispose of, or control the exercise of a power to dispose of, the securities where that power or control results from the terms of the trust deed or the right to enforce the terms of the trust deed; or
 - (b) the person has the following discretions under the terms of the trust deed relating to the units:
 - (i) discretions in relation to a scheme of arrangements but not in relation to voting or disposal of a class of securities;
 - (ii) discretions in relation to bonus issues, rights issues, returns of capital, security splits, security consolidations or other reconstructions of capital affecting the class of securities.
- (6D) If a person has a relevant interest in a security because subsections (6B) or (6C) ceases to apply, the person is taken to acquire a relevant interest in the security at that time, by a transaction in relation to that security."

SCHEDULE A

Macquarie Bank Limited (ABN 46 008 583 542) (*Macquarie*) and persons associated with Macquarie, within the meaning of subsection 7(1) of the *Legislative Instruments Act 2003*

Bond Street Custodians Limited (ABN 57 008 607 065) (*Bond Street*)

SCHEDULE B

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The calculation of the relevant interests, voting power or substantial holdings of the persons referred to in Schedule A where:

- (a) interests in Credit Suisse PL 100 Series – World Water (the *World Water securities*) are quoted on the financial market operated by ASX;
- (b) Macquarie issues units in World Water securities to a person (*Holder*) in accordance with the Product Disclosure Statement dated on or about 18 April 2007; and
- (c) Bond Street holds the World Water securities until the Holder has paid the full amount owing to Macquarie in relation to the World Water securities.

Dated this 17th day of April 2007

Signed by:



.....
Kate O'Rourke

as a delegate of the Australian Securities and Investments Commission

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001*, the Australian Securities and Investments Commission (*ASIC*) varies ASIC Instrument [03/0937] dated 30 October 2003 by omitting paragraph 1 and substituting:

“1. after subsection 601GAA(9) as notionally inserted into Chapter 5C by ASIC Class Order [05/26], 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;
- (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 scheme constitution;
- (d) the responsible entity allocates a proportion of the issue price of the stapled securities to the interests in accordance with the constitution.”;

Dated this 12th day of April 2007



Signed by Steven Rice
as a delegate of the Australian Securities Investment Commission

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

Under paragraph 1020F(1)(c) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission declares that section 1013FA of the Act applies to the person specified in Schedule A in the case specified in Schedule B, as if the definition of *continuously quoted securities* in section 9 of the Act were modified or varied by omitting “12 months” in paragraph (a) of that definition and substituting “3 months”.

Schedule A

ING Management Limited ACN 006 065 032 (*INGML*) in its capacity as responsible entity of the ING Real Estate Community Living Fund ARSN 107 459 576 and ING Real Estate Community Living Management Trust ARSN 122 928 410 (*Stapled Schemes*)

Schedule B

Where INGML offers interests in the Stapled Schemes in any of the following circumstances:

1. an offer that is made under a Product Disclosure Statement to be lodged with ASIC on or about 23 April 2007 (the *PDS*) to all members of the Stapled Schemes (except foreign holders); and
2. an offer that is made to the public under the PDS.

Dated this 13th day of April 2007



Signed by Steven Rice
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)(a) – Exemption**

Under paragraph 741(1)(a) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) hereby exempts the persons specified in Schedule A in the case referred to in Schedule B on the condition referred to in Schedule C for the period referred to in Schedule D from compliance with subsection 734(2) of the Act.

Schedule A

Platinum Investment Management Limited ACN 063 565 006 (*PIML*) or its related bodies corporate.

Schedule B

Communication by PIML or its related bodies corporate to employees of PIML and its related bodies corporate concerning:

- (a) details of any employee share or option plan;
- (b) matters relating to:
 - (i) changes to the internal administration of PIML and its related bodies corporate; and
 - (ii) the appointment of executive officers to PIML and its related bodies corporate; and
 - (iii) the timing of the Offer;
- (c) information concerning the impending announcements in relation to the Offer.

Schedule C

No advantages or disadvantages of the Offer are communicated.

Schedule D

From the date of this instrument until the earlier of:

- (a) the date on which Platinum lodges the prospectus for the Offer with ASIC; or
- (b) 30 June 2007;

unless otherwise revoked.

Interpretation

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Offer means an initial public offer of ordinary shares in Queens Hill Pty Ltd ACN 050 064 387 (to be known as Platinum Asset Management Limited) (*Platinum*).

Dated this 4th day of April 2007



Signed by Cathy Chan
as delegate of the Australian Investments Commission

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

Under paragraph 911A(2)(l) of the *Corporations Act 2001*, the Australian Securities and Investments Commission exempts the persons named in Schedule A from the requirement to hold an Australian financial services licence in the case set out in Schedule B on the conditions set out in Schedule C for so long as the conditions are met.

Schedule A

John Woods
Gary Martin
Peter Warnes
Anton Tagliaferro
Simon Conn

(collectively, the *Committee Members*)

Schedule B

Where the Committee Members:

1. carry on a financial services business consisting only of dealing in a financial product in connection with arranging for the Vendors to dispose of 13,542,732 shares in Auspine Limited ACN 004 289 730 (the *Tender Share Parcel*) pursuant to an invitation issued by the Vendors to one or more persons to tender to acquire the Tender Share Parcel under the joint offer agreement executed on or around 18 April 2007 (*Joint Offer Agreement*); and
2. do not otherwise carry on a financial services business in their joint capacity as Committee Members; and
3. are not invited by the Vendors to tender to acquire the Tender Share Parcel; and
4. are not associates of the persons who receive the Vendors' invitation to tender to acquire the Tender Share Parcel.

Schedule C

1. The Committee Members must not, in their joint capacity as Committee Members, receive fees or charges (however described) or any other benefit from the Vendors in relation to arranging for the Vendors to dispose of the Tender Share Parcel.
 2. The Committee Members must act in the best interests of the Vendors.
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3. The Committee Members must act in accordance with, and only to the extent required under, the Joint Offer Agreement.

Interpretation

In this instrument:

1. *dealing* has the meaning given by section 766C; and
2. *Vendors* means:
 - (a) Investor Mutual Limited ACN 078 030 752 in its own capacity and in its capacity as responsible entity of Investors Mutual Australian Smaller Companies Fund ARSN 093 182 471, Investors Mutual Small Cap Fund ARSN 122 918 496, Investors Mutual Future Leaders Fund ARSN 093 182 828 and Investors Mutual Value & Income Fund ARSN 107 095 438
 - (b) Bethal Nominees Pty Limited ACN 005 655 256 as trustee for The Kim Veall Trust
 - (c) Mount Edisar Pty Limited ACN 005 758 501 as trustee for the Mount Edisar Pty Limited Superannuation Fund
 - (d) Cenecoh Pty Limited ACN 006 074 693
 - (e) Huntley Investment Company Limited ACN 060 306 738
 - (f) Leagou Funds Management Pty Limited ACN 121 587 586
 - (g) Wallbay Pty Limited ACN 068 029 925
 - (h) Lorraine Pennefather

Commencement

This instrument takes effect on gazettal.

Dated this 17th day of April 2007



Signed by Rupert Clive Smoker
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)(a) – Exemption**

Under paragraph 655A(1)(a) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission (*ASIC*) exempts the persons named in Schedule A from section 606 of the Act in the case set out in Schedule B.

Schedule A

Investor Mutual Limited ACN 078 030 752 (*Investor Mutual*) in its own capacity and in its capacity as responsible entity of Investors Mutual Australian Smaller Companies Fund ARSN 093 182 471, Investors Mutual Small Cap Fund ARSN 122 918 496, Investors Mutual Future Leaders Fund ARSN 093 182 828 and Investors Mutual Value & Income Fund ARSN 107 095 438

Bethal Nominees Pty Limited ACN 005 655 256
as trustee for The Kim Veall Trust (*Bethal Nominees*)

Mount Edisar Pty Limited ACN 005 758 501
as trustee for the Mount Edisar Pty Limited Superannuation Fund (*Mount Edisar*)

Cenecoh Pty Limited ACN 006 074 693 (*Cenecoh*)

Huntley Investment Company Limited ACN 060 306 738
(*Huntley Investment Company*)

Leagou Funds Management Pty Limited ACN 121 587 586
(*Leagou Funds Management*)

Wallbay Pty Limited ACN 068 029 925 (*Wallbay*)

Lorraine Pennefather

(collectively, the *Vendors*)

Schedule B

An acquisition of a relevant interest in issued voting shares in Auspine Limited ACN 004 289 730 (*Auspine*) arising solely from the entry by the Vendors into a joint offer agreement (*Joint Offer Agreement*) for the purpose of the Vendors issuing invitations (*Tender Invitations*) to one or more persons to tender to acquire 13,542,732 issued voting shares in Auspine where:

1. the Joint Offer Agreement is substantially in the form of the draft agreement provided to ASIC on 17 April 2007; and
2. as at the date of entry into the Joint Offer Agreement:

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- (a) Bethal Nominees has a relevant interest in 6,200,500 issued voting shares in Auspine; and
 - (b) Investor Mutual has a relevant interest in 279,500 issued voting shares in Auspine; and
 - (c) Investor Mutual in its capacity as responsible entity of Investors Mutual Australian Smaller Companies Fund ARSN 093 182 471 has a relevant interest in 1,400,000 issued voting shares in Auspine; and
 - (d) Investor Mutual in its capacity as responsible entity of Investors Mutual Small Cap Fund ARSN 122 918 496 has a relevant interest in 20,500 issued voting shares in Auspine; and
 - (e) Investor Mutual in its capacity as responsible entity of Investors Mutual Future Leaders Fund ARSN 093 182 828 has a relevant interest in 2,587,990 issued voting shares in Auspine; and
 - (f) Investor Mutual in its capacity as responsible entity of Investors Mutual Value & Income Fund ARSN 107 095 438 has a relevant interest in 232,500 issued voting shares in Auspine; and
 - (g) Huntley Investment Company has a relevant interest in 1,350,000 issued voting in Auspine; and
 - (h) Wallbay has a relevant interest in 784,480 issued voting shares in Auspine; and
 - (i) Mount Edisar has a relevant interest in 355,508 issued voting shares in Auspine; and
 - (j) Leagou Funds Management has a relevant interest in 173,454 issued voting shares in Auspine; and
 - (k) Lorraine Pennefather has a relevant interest in 98,300 issued voting shares in Auspine; and
 - (l) Cenecoh has a relevant interest in 60,000 issued voting shares in Auspine; and
 - (m) collectively, the Vendors have a relevant interest in no more than 25.1037% issued voting shares in Auspine; and
3. the Joint Offer Agreement contains a condition that the obligations which give rise to the acquisition of a relevant interest do not become binding on the Vendors and are of no force and effect if, pursuant to issuing Tender Invitations, the Vendors do not dispose of their respective relevant interests in issued voting shares in Auspine; and
4. the Joint Offer Agreement contains a clause that the Vendors will not sell, assign, transfer, encumber or otherwise dispose of any issued voting shares in Auspine in

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which they have a relevant interest other than in accordance with the terms set out in the Joint Offer Agreement; and

5. the Tender Invitations contain a condition that, if an offer made in response to a Tender Invitation is accepted by the Vendors, the person who made that offer must apply to ASIC, within 5 business days after being notified of the acceptance of the offer, for relief from the provisions of section 606 of the Act in relation to the acquisition of 13,542,732 issued voting shares in Auspine.

Dated this 17th day of April 2007



Signed by Rupert Clive Smoker
as a delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 741(1)(a), 911A(2)(l), 992B(1)(a),
1020F(1)(a) and 1020F(1)(b) — Variation**

Under paragraphs 741(1)(a), 911A(2)(l), 992B(1)(b), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001* the Australian Securities and Investments Commission (*ASIC*) varies ASIC Instrument [07/0179] dated 16 March 2007 by omitting all the words after "Conditions" in the definition of "Trust Deed" and inserting "and the Constitution of the Trustee dated 10 April 2006, in the form provided to ASIC on the Issuer's behalf as an attachment to an electronic mail from Clayton Utz sent on 2 April 2007 in relation to 'ING Groep NV'".

Commencement

This instrument takes effect on gazettal.

Dated this 20th day of April 2007

Signed by Peter Knight
as a delegate of the Australian Securities and Investments Commission

NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001

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Notice is hereby given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order, a copy of which is set out below, which order took effect on the date of service of the order on the person to whom it relates, being 27 March 2007.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

IN THE MATTER OF JONATHAN CATTANA

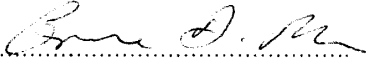
SECTIONS 920A AND 920B OF THE CORPORATIONS ACT 2001

To: Mr Jonathan Cattana
Unit 2, 38A Mona Road
Darling Point NSW 2027

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

TAKE NOTICE that under paragraphs 920A(1)(e) and 920A(1)(f) and section 920B of the Corporations Act 2001 the Australian Securities and Investments Commission hereby prohibits Jonathan Cattana from providing any financial services for a period of two years.

Dated this 26th day of March 2007.

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

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

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

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Pursuant to subsection 655A(1) of the Corporations Act (*Act*), the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 6 of the Act applies to the person specified in Schedule A in the case specified in Schedule B as if paragraph 631(1)(b) of the Act was modified or varied by inserting the words "and 14 days" after the words "2 months".

Schedule A

Cabcharge Australia Limited ACN 001 958 390 (*Cabcharge*)

Schedule B

On or before 5.30pm on Monday, 23 April 2007, Cabcharge provides written confirmation to ASIC, and advises ASX Limited ACN 008 624 691, of:

- (a) the consideration of Cabcharge's proposed off-market takeover bid for Arrow Taxi Services Limited ACN 004 516 027 (*Arrow Taxi*) announced on 23 February 2007 (the *Cabcharge Bid*) involves a cash and scrip bid per Arrow Taxi ordinary share where the total aggregate consideration offered under the bid comprises:
 - (i) aggregate cash consideration of \$2,482,000; and
 - (ii) a total of 1,679,500 Cabcharge ordinary shares; and
- (b) other material terms and conditions of the Cabcharge Bid.

Dated: 23 April 2007



Signed by Hock Peng Lee
as a delegate of the Australian Securities & Investments Commission

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 655A(1) - Variation**

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Pursuant to subsection 655A(1) of the Corporations Act, 2001 the Australian Securities and Investments Commission hereby varies the declaration dated 23 April 2007 being instrument number 07/0286 by omitting from paragraph (a) of Schedule B the words:

"where the total aggregate consideration offered under the bid comprises:

- (i) aggregate cash consideration of \$2,482,000; and
- (ii) a total of 1,679,500 Cabcharge ordinary shares"

Dated: 24 April 2007



Signed by Hock Peng Lee
as a delegate of the Australian Securities & Investments Commission

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

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Under paragraph 655A(1)(a) of the Corporations Act 2001 (the **Act**) the Australian Securities and Investments Commission (**ASIC**) exempts the persons in Schedule A from compliance with subsection 606(1) of the Act in the case in Schedule B on the conditions in Schedule C and for so long as those conditions are met.

Schedule A

Macquarie Equity Capital Markets Limited ACN 001 374 572 (**MECM**)

Macquarie Bank Limited ACN 008 583 542 (**Macquarie**)

Macquarie Communications Infrastructure Management Limited ACN 066 047 738 (**MCIM**)

Other subsidiaries of Macquarie.

Schedule B

An acquisition of relevant interests in the Stapled Securities by virtue of MECM, under an underwriting agreement, taking up any shortfall of Stapled Securities (**Shortfall Securities**) from an offer announced to the financial market operated by ASX Limited ACN 008 624 691 on or about the date of this instrument.

Schedule C

1. MECM sells the Shortfall Securities within 14 days of their acquisition by MECM.
 2. MECM does not sell any Shortfall Securities to a person if it knows or believes that the person will contravene section 606 of the Act by acquiring any Shortfall Securities.
 3. MECM does not exercise any votes attached to Shortfall Securities without the consent of ASIC.
 4. MECM does not acquire any other Stapled Securities until its relevant interests in the Stapled Securities are reduced to 5% or less of the Stapled Securities on issue immediately prior to the acquisition (excluding only relevant interests in Stapled Securities held by any of the other persons in Schedule A).
 5. MECM uses its best endeavors to obtain as wide placement of the Shortfall Securities as practicable.
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6. MECM gives ASIC within 14 days of acquiring the Shortfall Securities a list specifying, in respect of each sale of Shortfall Securities, the date of sale, the name of the buyer (if known) and the way in which the sale was transacted (eg via Stock Exchange Automated Trading System).

Interpretation

"**Stapled Security**" means an interest in Macquarie Communications Infrastructure Trust ARSN 101 048 293 (**MCIT**), a share in Macquarie Communications Infrastructure Limited ACN 084 388 983 (**MCI**) and a share in Macquarie MCG International Ltd ARBN 112 652 490 (**MMCGI**) where under the terms on which an interest in MCIT, a share in MCI and a share in MMCGI are to be traded, they must only be transferred together.

Dated this 20th day of April 2007



Signed by Steven Rice
as a delegate of the Australian Securities and Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 601QA(1)(a), 601QA(1)(b) and 655A(1)(b)
– Exemption and Declarations**

1. Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C of the Act applies to the person specified in Schedule A in the case set out in Schedule B as if section 601GAC as notionally inserted into the Act by ASIC Class Order [CO 05/26] were modified or varied by omitting subsection 601GAC(2) and substituting:

“(2) The formula or method must:

 - (a) if it applies when the interests in the scheme are not quoted on a financial market – be based on the value of scheme property less any liabilities that under the constitution may be met from that property divided by the number of interests on issue and may make allowance for the expenses that are associated with disposing scheme property; or
 - (b) if it applies when the interests in the scheme are quoted on a financial market – be based on the market price of interests on the market and may allow for a discount from or a premium to that price by or up to an amount specified in the constitution.”
 2. Under paragraph 601QA(1)(b) of the Act, ASIC declares that Chapter 5C of the Act applies to the person specified in Schedule A in the case set out in Schedule B as if Chapter 5C were modified or varied as follows:
 - (a) omit Part 5C.6; and
 - (b) in paragraph 601GA(4)(b):
 - (i) omit “if the right may be exercised while the scheme is liquid (as defined in section 601KA) –”; and
 - (ii) omit “; and”, substitute “.”; and
 - (c) omit paragraph 601GA(4)(c).
 3. For the avoidance of doubt, under paragraph 601QA(1)(a) of the Act, ASIC exempts the person specified in Schedule A from the requirement in paragraph 601FC(1)(d) of the Act to treat members who hold interests of the same class equally to the extent that that requirement might otherwise prevent the responsible entity from conducting the transaction on terms that comply with Schedule B.
 4. Under paragraph 655A(1)(b) of the Act, ASIC declares that Chapter 6 of the Act applies to the person specified in Schedule A in the case referred to in Schedule
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B as if the table in section 611 were modified or varied by, after item 19, inserting:

“19A An acquisition that results from a buy-back of interests by the responsible entity of a listed managed investment scheme.”

Schedule A

Macquarie DDR Management Limited ACN 101 743 926 (*MDML*) in its capacity as responsible entity of Macquarie DDR Trust ARSN 106 570 352 (*MDT*).

Schedule B

Any offer (*buy-back arrangement*) made by MDML, on or before the first anniversary of the date of this instrument, to acquire MDT interests in the ordinary course of trading on the financial market of ASX Limited ACN 008 624 691 (*ASX*) at a price, and on other terms, determined by MDML in accordance with the constitution of MDT, where:

- (a) the number of MDT interests acquired under the buy-back arrangement does not exceed 10% of the smallest number, at any time during the last 12 months, of votes attaching to voting interests in MDT; and
- (b) MDML cancels all MDT interests it acquires under the buy-back arrangement as soon as practicable after they are acquired; and
- (c) at least 21 days before the buy-back arrangement commences, MDML gives written notice to all members of MDT of the following matters:
 - (i) the date and approximate time at which the buy-back arrangement will commence; and
 - (ii) the approximate number of MDT interests that MDML intends to acquire under the buy-back arrangement; and
 - (iii) the means by which MDML will fund the acquisition of MDT interests under the buy-back arrangement; and
 - (iv) the amount of money MDML reasonably expects will be available to it for the purpose of acquiring MDT interests under the buy-back arrangement; and
 - (v) that the buy-back arrangement will be conducted in accordance with the listing rules of ASX as in force at the date of this instrument and in the ordinary course of trading on ASX; and
 - (vi) that the offer period under the buy-back arrangement will not necessarily remain open for a fixed period of time but may close immediately after MDML has acquired the number of MDT interests it offered to acquire; and

- (vii) where, immediately before the buy-back arrangement takes place, MDML holds MDT interests – whether MDML intends to sell any MDT interests it holds under the buy-back arrangement; and
 - (viii) that associates of MDML hold MDT interests and may sell those MDT interests to MDML under the buy-back arrangement; and
 - (ix) any restrictions that constrain MDML's discretion to determine the price it pays for the MDT interests it acquires on the financial market of ASX under the buy-back arrangement; and
- (d) the price at which MDML may acquire MDT interests under the buy-back arrangement does not exceed 105% of the average market price of MDT interests, calculated over the last 5 days in which MDT interests were traded on the ASX before the relevant acquisition; and
 - (e) MDML gives 14 days written notice to ASIC of the intended buy-back arrangement; and
 - (f) within 1 month after the MDT interests are cancelled, MDML lodges with ASIC a notice that sets out:
 - (i) the number of MDT interests cancelled; and
 - (ii) any amount paid by MDML (in cash or otherwise) under the buy-back arrangement; and
 - (iii) if MDT has different classes of interests – the class to which each cancelled interest belonged; and
 - (g) MDML complies with all relevant listing rules of ASX as in force at the date of this instrument applicable to the buy-back arrangement; and
 - (h) the buy-back arrangement does not materially prejudice MDML's ability to pay creditors of MDT from MDT's assets.

Interpretation

In this instrument:

market price has the meaning given by the listing rules of ASX as in force at the date of this instrument.

Dated this 23rd day of April 2007



Signed by Amney Alayan
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

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Australian Securities & Investments Commission
Corporations Act 2001 Section 915B

Notice of Cancellation of an Australian Financial Services Licence

TO: Financial Management Professionals Group Pty Ltd, ABN 39 006 318 734
("the Licensee") 110 Chapel Street, Windsor Vic 3181

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 243165 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 24 April 2007.

Signed

Allan Melville, a delegate of the Australian Securities and Investments Commission

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.

AURIUM RESOURCES PTY LTD ACN 123 821 929 will change to a public company limited by shares. The new name will be AURIUM RESOURCES LIMITED ACN 123 821 929.

EURO DIRECT LIMITED ACN 115 565 485 will change to a proprietary company limited by shares. The new name will be EURO DIRECT PTY LTD ACN 115 565 485.

LODO LTD ACN 001 407 272 will change to a proprietary company limited by shares. The new name will be LODO PTY LTD ACN 001 407 272.

MCM INTERNATIONAL GROUP PTY LTD ACN 006 173 271 will change to a public company limited by shares. The new name will be MCM INTERNATIONAL GROUP LIMITED ACN 006 173 271.

PRIME FOODS LIMITED ACN 114 144 722 will change to a proprietary company limited by shares. The new name will be PRIME FOODS PTY LTD ACN 114 144 722.

TRAFALGAR CORPORATE LIMITED ACN 080 518 243 will change to a proprietary company limited by shares. The new name will be TRAFALGAR CORPORATE PTY LIMITED ACN 080 518 243.

PEET SNEYDES ROAD PTY LIMITED ACN 102 498 644 will change to a public company limited by shares. The new name will be PEET POINT COOK SOUTH SYNDICATE LIMITED ACN 102 498 644.

BARDAS FOUNDATION LIMITED ACN 005 282 717 will change to a proprietary company limited by shares. The new name will be BARDAS FOUNDATION PTY LTD ACN 005 282 717.

LEDGERS AUSTRALIA LTD ACN 101 454 684 will change to a proprietary company limited by shares. The new name will be LEDGERS AUSTRALIA PTY LTD ACN 101 454 684.

MARINNA ENERGY PTY LTD ACN 119 059 586 will change to a public company limited by shares. The new name will be MARINNA ENERGY LTD ACN 119 059 586.

MFS INSTITUTIONAL ADVISORS (AUSTRALIA) LTD ACN 075 248 234 will change to a proprietary company limited by shares. The new name will be MFS INSTITUTIONAL ADVISORS (AUSTRALIA) PTY LIMITED ACN 075 248 234.

TEL.PACIFIC PTY LIMITED ACN 073 079 268 will change to a public company limited by shares. The new name will be TEL.PACIFIC LIMITED ACN 073 079 268.

VITA MEDICAL LIMITED ACN 002 141 504 will change to a proprietary company limited by shares. The new name will be TETLEY MANUFACTURING PTY LTD ACN 002 141 504.