



Commonwealth of Australia



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette  
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# ASIC Gazette

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### Change of company status

#### 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](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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**Australian Securities and Investments Commission  
Corporations Law - Subsection 1454(2), Paragraph 601QA(1)(b) and Subsection  
1084(6) - Extension and Declaration**

Pursuant to subsection 1454(2) of the Corporations Law ("the Law") the Australian Securities and Investments Commission ("the Commission") hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B ("the Scheme").

And pursuant to paragraph 601QA(1)(b) of the Law the Commission hereby declares that Division 11 of Part 11.2 of the Law applies to the management company of the Scheme as if:

- (1) paragraph 1455(4)(b) were replaced by "before the relevant date as specified in subsection 1457(1AA)"; and
- (2) section 1457 were modified by:
  - (3) replacing the words "during the first year after commencement" in subsection (1) with the words "before the relevant date";
  - (4) replacing the words "the end of that year" in paragraph (1)(a) with the words "the relevant date"; and
  - (5) adding immediately after subsection 1457(1) a new subsection 1457(1AA) as follows:

"In subsection (1) and paragraph 1455(4)(b) 'the relevant date' means:

    - (a) one year before ; or
    - (b) the date upon which an interest in the scheme, if any, is issued after 30 June 1998, other than:
      - (i) under a prospectus which was lodged before 1 July 1998;  
or
      - (ii) by an excluded issue; or
    - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest."

00 / 2502

And pursuant to subsection 1084(6) of the Law the Commission hereby declares that Division 5 of Part 7.12 of the Law applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) were omitted.

**SCHEDULE A: WHEN SUBSECTION 1454(2) EXTENSION ENDS**

- (a) 30 June 2004; or
- (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
  - (i) under a prospectus which was lodged before 1 July 1998; or
  - (ii) by an excluded issue; or
- (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest.

**SCHEDULE B: THE SCHEME**

The undertaking known as Tumbarumba Pine Plantation No. 17 to which the deed originally between Tree Owners Plantation Management Limited (ACN 062 966 643) and C.J.M. Nominees Limited (ACN 063 931 948) dated 15 June 1994 relates.

Dated this 30th day of June 2000



Signed by Allan Melville  
as a delegate of the Australian Securities and Investments Commission

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

Under paragraph 911A(2)(l) the Australian Securities and Investments Commission ("ASIC") exempts Essilor Australia Pty Ltd (ACN 002 659 458) ("Essilor") from the requirement to hold an Australian financial services licence for the provision of a financial service consisting of:

- (a) general advice reasonably given in connection with the eligible offer (including any general advice given in the offer document) where the eligible offer document for the eligible offer includes a statement to the effect that any advice given by the person in connection with the eligible 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; and
  
- (b) dealing in a financial product in connection with the eligible offer where any acquisition by purchase or disposal of the product occurs outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place,

in the case specified in Schedule A and on the conditions set out in Schedule B for so long as they are met.

**Schedule A**

Where all of the following apply:

1. Fully paid shares in Essilor International S.A. have been quoted on the financial market operated by Euronext Paris throughout the 12 month period immediately before the eligible offer is made without suspension for more than a total of 2 trading days during that period.
2. Where the eligible offer is made through a trust:
  - (a) the trustee holds the shares on trust for each person (a "beneficiary") who acquires units of shares under the eligible offer; and
  - (b) the trustee causes proper written financial records to be maintained in respect of the activities of the trust and causes those records to be audited annually and made available for inspection by the beneficiaries at an office of the trustee or a place of business of Essilor International S.A. during normal business hours or such other time as is agreed with beneficiaries; and

05 / 0704

- (c) the trustee ensures that each share to which a unit held by a beneficiary relates is identified in the written financial records as being held on account of that beneficiary; and
- (d) the trustee does not levy any fees or charges for operating and administering the trust, either payable directly by the beneficiaries or out of the assets of the trust; and
- (e) except as expressly provided by the trust deed, a beneficiary has the capacity to authorise the trustee to sell at or above the current market price the shares to which he or she is entitled to under the deed; and
- (f) the trustee provides a copy of the trust deed to ASIC at the same time as a copy of the eligible offer document is provided to ASIC in accordance with this instrument.

#### Schedule B

Essilor must:

1. take reasonable steps to ensure that any eligible employee to whom an eligible offer is made is given a copy of the offer document; and
2. provide to ASIC a copy of the offer document (which need not contain details of the eligible offer particular to the employee such as the identity or entitlement of the employee) and of each accompanying document not later than 7 days after the first provision of that material to an employee; and
3. comply with any undertaking required to be made in the eligible offer document by reason of this instrument; and
4. ensure that the trust deed contains covenants binding the trustee and their agents, if any, to the effect that a beneficiary possesses substantially the same rights in respect of the shares to which the units of shares they hold relate as if they were the legal owner of the shares, including the right to:
  - (a) direct the trustee how the voting rights attaching to the shares shall be exercised, either generally or in any particular case; and
  - (b) receive the income deriving from the shares, including dividends declared by the issuer in respect of those shares.

*Note:* where a document must be provided in writing it may be provided by electronic means. See s5C of the Act and s25 of the *Acts Interpretation Act 1901*.

**Interpretation****0 5 / 0 7 0 4**

In this instrument:

1. except where otherwise stated, references to provisions are to provisions of the *Corporations Act 2001*;
2. an employee share scheme shall not be regarded as extended to a person other than an eligible employee only because such an employee may renounce an offer of financial products made to them under the scheme in favour of their nominee;
3. "associated body corporate" of Essilor means:
  - (a) a body corporate that is a related body corporate of Essilor; or
  - (b) a body corporate that has voting power in Essilor of not less than 20%; or
  - (c) a body corporate in which Essilor has voting power of not less than 20%;
4. "Australian dollar equivalent" in relation to a price, means a price calculated by reference to the relevant exchange rate published by an Australian bank no earlier than the business day before the day to which price relates;
5. "current market price" means the price of shares in Essilor International S.A. published by Euronext Paris as the final price for the previous day on which those shares were traded;
6. "eligible employee" means a person who is, at the time of the eligible offer, a full or part-time employee or director of Essilor or an associated body corporate of Essilor who is eligible to participate under the rules of the Plan;
7. "eligible offer" means an offer of shares in Essilor International S.A. under the Plan extended only to eligible employees;
8. "financial product advice" has the meaning given by section 766B;
9. "general advice" has the meaning given by section 766B;
10. "offer document" means a document setting out the eligible offer that:
  - (a) includes or is accompanied by a copy, or a summary, of the rules of the Plan; and
  - (b) if a summary (rather than a copy) of the rules of the Plan is given — includes an undertaking that during the period (the "offer period") during which an eligible employee may acquire the financial products, Essilor

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will, within a reasonable period of the employee so requesting, provide the employee without charge with a copy of the rules of the Plan; and

- (c) specifies the means by which the acquisition price will be converted into an amount in Australian dollars; and
  - (d) includes an undertaking, and an explanation of the way in which, Essilor will, during the eligible offer period, within a reasonable period of the employee requesting, make available to the employee the Australian dollar equivalent of the current market price of the shares in the same class as those offered under the eligible offer;
11. "Plan" means the Essilor Australia Employee Share Acquisition Plan extended only to eligible employees; and
12. "unit" in relation to a share means a legal or equitable right or interest in the share.

**Commencement**

This instrument commences on gazettal.

Dated this 15<sup>th</sup> day of June 2005



Signed by Catherine So  
as a delegate of the Australian Securities and Investments Commission

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

05/0705

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* the Australian Securities and Investments Commission (ASIC) varies the instruments specified in the Schedule by:

1. Omitting "31 June 2005" and substituting "31 December 2005"; and
2. Omitting "CPT Manager Limited ACN 054 494 307" and substituting "Centro MCS Manager Limited ACN 051 908 984".

**Schedule**

1. ASIC Instrument [04/926]; and
2. ASIC Instrument [04/1538]

Dated this 23rd day of June 2005



Signed by Samantha Brooke Osman  
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:** Ergon Energy (Victoria) Pty Ltd ACN: 072 672 694 ("the Licensee")  
G, 61 Mary Street, BRISBANE QLD 4000

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 238990 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 24th day of June 2005.

Signed .....

.....  
.....  
**Joyce Krashow, 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**

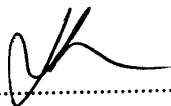
**Notice of Cancellation of an Australian Financial Services Licence**

**TO:** Ashby John Utting, ABN 64 771 429 608 ("the Licensee")  
GPO BOX 1502 BRISBANE QLD 4001

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 234600 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 24<sup>th</sup> day of June 2005.

Signed

  
.....

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

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

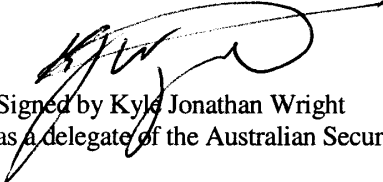
Pursuant to subsection 741(1) of the *Corporations Act 2001* (Act), the Australian Securities and Investments Commission (ASIC) declares that Chapter 6D of the Act applies in relation to the person named in Schedule A as if subsection 708(5) of the Act were modified by:

1. Deleting the "." at the end of the subsection and inserting "; or  
  
(d) were made under a share purchase plan offered by the body during the period 17 December 2004 to 28 January 2005; or  
  
(e) are exempt under [CO 02/831]."

**Schedule A**

D'Aguilar Gold Limited ACN 052 354 837

Dated this 23rd day of June 2005



Signed by Kyle Jonathan Wright  
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) – Declaration**

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (**the Act**), the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person referred to in the Schedule until 31 December 2005 as if section 601GA was modified or varied by:

1. in subsection (1), omitting "The" and substituting "Subject to subsections (5), (6) and (7), the";
2. in subsection (4), omitting "If" and substituting "Subject to subsections (5), (6) and (7), if";
3. adding after subsection 601GA(4):
  - " (5) The constitution does not have to make adequate provision for transaction costs associated with the acquisition of an interest in the scheme or a withdrawal from the scheme where the responsible entity discloses the basis on which those costs are calculated:
    - (a) in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision; or
    - (b) where a Product Disclosure Statement is not required to be given, in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.
  - (6) The constitution does not have to make adequate provision for the consideration to acquire an interest in the scheme or the proceeds payable upon a withdrawal from the scheme to the extent that it depends on determining the value of an asset that is scheme property or the amount of a liability that may be satisfied from scheme property where the responsible entity:
    - (a) reasonably believes that the value or amount cannot be objectively ascertained at the relevant time; and
    - (b) discloses a general description of the valuation methods and policies it will apply in determining the value or amount:
      - (i) in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision; or
      - (ii) where a Product Disclosure Statement is not required to be given, in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.
  - (7) The constitution does not have to make adequate provision for any acquisition fee that must be paid to acquire an interest in the scheme provided that:

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- (a) the constitution states the maximum amount of acquisition fee that will be charged to acquire an interest in the scheme;
- (b) each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision states the actual amount of acquisition fees that must be paid to acquire an interest in the scheme; and
- (c) where a Product Disclosure Statement is not required to be given, each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision states the actual amount of acquisition fees that must be paid to acquire an interest in the scheme.

(8) In this section:

**acquisition fee** means the fee (if any) that must be paid to the responsible entity to acquire an interest in the scheme, which is determined by the responsible entity and does not exceed 5% of the consideration to acquire an interest in the scheme;

**information memorandum** means a document provided to wholesale clients, as defined in section 761G, in connection with the offer to issue, offer to arrange for the issue or the issue of interests in the scheme; and

**transaction costs** means, in relation to the acquisition of an interest in the scheme or a withdrawal request, the amount that is included in the price at which the interest is acquired or has been deducted from the amount that would otherwise be paid in meeting the request that is reasonably attributable to the expenses associated with the acquisition or disposal of scheme assets merely because the interest has been acquired or the withdrawal request is met."

#### Schedule

Sovereign MF Limited (ACN 104 694 555) in its capacity as responsible entity of Sovereign Tarnit Land Fund (ARSN 114 818 209).

Dated this 24<sup>th</sup> day of June 2005



Signed by Philippa Bell  
as a delegate of the Australian Securities and Investments Commission

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

Under subsection 601QA(1) of the *Corporations Act 2001* the Australian Securities and Investments Commission varies ASIC Instrument No [05/223] (the **Instrument**) by:

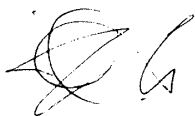
1. Inserting the following paragraph at the beginning:

" Under paragraph 601QA(1)(a) of the *Corporations Act 2001* (the **Act**), the Australian Securities and Investments Commission (**ASIC**) exempts the person referred to in Schedule A from paragraph 601FC(1)(d) to the extent that it would otherwise prevent the person from treating some or all members who are wholesale clients differently to other members in either or both of the following ways:

  - (i) giving them a shorter period than other members to consider an offer made in accordance with subsection 601GAA(3) as notionally inserted into the Act by ASIC Class Order [05/26]; or
  - (ii) issuing interests to them before they are issued to some other members."
2. In paragraph 208(2A)(a) as notionally inserted into the Act by the Instrument, omitting "shares in a company" and substituting "ordinary shares in one or more companies".
3. In paragraph 208(2A)(b) as notionally inserted into the Act by the Instrument, omitting "the benefit is given to the company" and substituting "the benefit is given to a company".
4. In Schedule B:
  - (a) inserting "ordinary" before "shares in Macquarie Capital Alliance Limited ACN 112 594 662"; and
  - (b) inserting after "shares in Macquarie Capital Alliance Limited ACN 112 594 662":

"and ordinary shares in Macquarie Capital Alliance Bermuda Ltd ARBN 113 880 783, a body corporate incorporated under the Companies Act 1981 of Bermuda".

Dated this 23<sup>rd</sup> day of June 2005



Signed by Tien Quach  
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) – Declaration**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person referred to in the Schedule until 31 December 2005 as if section 601GA was modified or varied by:

1. in subsection (1), omitting "The" and substituting "Subject to subsections (5), (6) and (7), the";
2. in subsection (4), omitting "If" and substituting "Subject to subsections (5), (6) and (7), if";
3. adding after subsection 601GA(4):

"(5) The constitution does not have to make adequate provision for transaction costs associated with the acquisition of an interest in the scheme or a withdrawal from the scheme where the responsible entity discloses the basis on which those costs are calculated:

- (a) in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision; or
- (b) where a Product Disclosure Statement is not required to be given, in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.

(6) The constitution does not have to make adequate provision for the consideration to acquire an interest in the scheme or the proceeds payable upon a withdrawal from the scheme to the extent that it depends on determining the value of an asset that is scheme property or the amount of a liability that may be satisfied from scheme property where the responsible entity:

- (a) reasonably believes that the value or amount cannot be objectively ascertained at the relevant time; and
- (b) discloses a general description of the valuation methods and policies it will apply in determining the value or amount:
  - i) in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision; or
  - ii) where a Product Disclosure Statement is not required to be given, in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.

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- (7) The constitution does not have to make adequate provision for the consideration to acquire an interest in the scheme or a withdrawal from the scheme to the extent that it depends on an amount that reflects any special rights or restrictions attaching to a particular class of an interest in the scheme where the responsible entity discloses a general description of the basis on which the amount is determined:
- (a) in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision; or
  - (b) where a Product Disclosure Statement is not required to be given, in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.
- (8) **information memorandum** means a document provided to wholesale clients, as defined in section 761G of the Act, in connection with the offer to issue, offer to arrange for the issue or the issue of interests in a scheme; and

**transaction costs** means, in relation to the acquisition of an interest in the scheme or a withdrawal request, the amount that is included in the price at which the interest is acquired or has been deducted from the amount that would otherwise be paid in meeting the request that is reasonably attributable to the expenses associated with the acquisition or disposal of scheme assets, merely because the interest has been acquired or the withdrawal request is met.

#### Schedule

IAG Asset Management Limited ACN 054 552 046 as responsible entity for  
IAG Asset Management CashPlus Trust ARSN 114 684 301

Dated this 22<sup>nd</sup> day of June 2005.



Signed by Tony Yiu  
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:** Hampton Property Group Ltd, ABN 76 099 218 201 ("the Licensee")  
Unit 1 54 York Street EAST GOSFORD NSW 2250

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 246993 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 27<sup>th</sup> day of June 2005.

Signed ..... 

Joyce Krashow, 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:** Australian Pacific Broking Pty. Limited, ABN 90 075 246 356 ("the Licensee") Level 2 12 Waters Road NEUTRAL BAY NSW 2089

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 247188 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 27<sup>th</sup> day of June 2005.

Signed .....

Joyce Krashow, 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) – Declaration**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person referred to in the Schedule until 31 December 2005 as if section 601GA was modified or varied by:

1. in subsection (1), omitting "The" and substituting "Subject to subsections (5) and (6), the";
2. in subsection (4), omitting "If" and substituting "Subject to subsections (5) and (6), if";
3. adding after subsection 601GA(4):
  - "(5) The constitution does not have to make adequate provision for transaction costs associated with the acquisition of an interest in the scheme or a withdrawal from the scheme where the responsible entity discloses the basis on which those costs are calculated in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.
  - (6) The constitution does not have to make adequate provision for the consideration to acquire an interest in the scheme or the proceeds payable upon a withdrawal from the scheme to the extent that it depends on determining the value of an asset that is scheme property or the amount of a liability that may be satisfied from scheme property where the responsible entity:
    - (a) reasonably believes that the value or amount cannot be objectively ascertained at the relevant time; and
    - (b) discloses a general description of the valuation methods and policies it will apply in determining the value or amount in each information memorandum for interests in the scheme that is given to a person while the constitution does not make such provision.
  - (7) In this section:

*information memorandum* means a document provided to wholesale clients, as defined in section 761G, in connection with the offer to issue, offer to arrange for the issue or the issue of interest in the scheme; and

*transaction costs* means, in relation to the acquisition of an interest in the scheme or a withdrawal request, the amount that is included in the price at which the interest is acquired or has been deducted from the amount that would otherwise be paid in meeting the request that is reasonably attributable to the expenses associated with the acquisition or disposal of scheme assets, merely because the interest has been acquired or the withdrawal request is met."

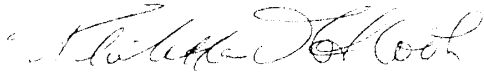
- 2 -

**Schedule**

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Morgan Stanley Arcadia International Real Estate Limited ACN 109 997 239 in its capacity as a responsible entity for Morgan Stanley Arcadia International Real Estate Fund No 1 ARSN 114 686 065 and Morgan Stanley Arcadia International Real Estate Fund No 2 ARSN 114 686 234.

Dated this 23<sup>rd</sup> day of June 2005



Signed by Philippa Flook  
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) – Declaration**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person referred to in the Schedule until 31 December 2005 as if section 601GA was modified or varied by:

1. in subsection (1), omitting "The" and substituting "Subject to subsections (5), (6) and (7), the";
2. in subsection (4), omitting "If" and substituting "Subject to subsections (5), (6) and (7), if";
3. adding after subsection 601GA(4):
  - " (5) The constitution does not have to make adequate provision for transaction costs associated with the acquisition of an interest in the scheme or a withdrawal from the scheme where the responsible entity discloses the basis on which those costs are calculated in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision.
  - (6) The constitution does not have to make adequate provision for the consideration to acquire an interest in the scheme or the proceeds payable upon a withdrawal from the scheme to the extent that it depends on determining the value of an asset that is scheme property or the amount of a liability that may be satisfied from scheme property where the responsible entity:
    - (a) reasonably believes that the value or amount cannot be objectively ascertained at the relevant time; and
    - (b) discloses a general description of the valuation methods and policies it will apply in determining the value or amount in each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision.
  - (7) The constitution does not have to make adequate provision for:
    - (a) any application fee that must be paid to acquire an interest in the scheme; and
    - (b) any withdrawal fee that must be paid to make a withdrawal from the scheme;

provided that:

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- (c) the constitution states the maximum amount of application fees that will be charged to acquire an interest in the scheme and the maximum amount of withdrawal fees that will be charged to make a withdrawal from the scheme;
- (d) each Product Disclosure Statement for interests in the scheme that is given to a person as a retail client while the constitution does not make such provision states the actual amount of application fees that must be paid to acquire an interest in the scheme and the actual amount of withdrawal fees that must be paid to make a withdrawal from the scheme; and
- (e) each Product Disclosure Statement for interests in the scheme that is given to a retail client while the constitution does not make such provision states that the responsible entity will give at least 30 days notice in writing and an opportunity to make a withdrawal from the scheme before it increases the amount of withdrawal fees that must be paid to make a withdrawal from the scheme.

(8) In this section:

***application fee*** means the fee (if any) that must be paid to the responsible entity to acquire an interest in the scheme, which is determined by the responsible entity and does not exceed 6 % of the consideration to acquire an interest in the scheme;

***transaction costs*** means, in relation to the acquisition of an interest in the scheme or a withdrawal request, the amount that is included in the price at which the interest is acquired or has been deducted from the amount that would otherwise be paid in meeting the request that is reasonably attributable to the expenses associated with the acquisition or disposal of scheme assets, merely because the interest has been acquired or the withdrawal request is met;

***withdrawal fee*** means the fee (if any) that must be paid to the responsible entity to make a withdrawal from the scheme, which is determined by the responsible entity and does not exceed 3 % of the proceeds payable upon a withdrawal from the scheme.

**Schedule**

**0 5 / 0 7 2 0**

Australian Unity Funds Management Limited ACN 071 497 115 in its capacity as responsible entity of Australian Unity Intech High Opportunities Trust ARSN 114 730 335.

Dated this 24<sup>th</sup> day of June 2005.



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



**ASIC**

Australian Securities & Investments Commission

05 / 0721

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

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

TO: Accountplan Pty Ltd, ABN 38 010 122 899 ("the Licensee")  
PO BOX 77 MARYBOROUGH QLD 4650

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 241098 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 27<sup>th</sup> day of June 2005.

Signed .....

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





**ASIC**

Australian Securities & Investments Commission

05 / 0722

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

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

**TO:** Fairline Securities Pty Limited, ABN 92 102 746 216 ("the Licensee")  
PO BOX 382 MIRANDA NSW 2228

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 225197 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 27<sup>th</sup> day of June 2005

Signed .....

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



ASIC

Australian Securities &amp; Investments Commission

05/0723

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b)  
Corporations Law – Subsections 1084(6) and 1454(2) – Variation**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* (the "Act") and subsections 1084(6) and 1454(2) of the Corporations Law (as continued in force by section 1408 of the Act), the Australian Securities and Investments Commission hereby varies ASIC Instrument [04/1208] dated 30 September 2004 by deleting "30 June 2005" (twice occurring) and substituting "30 June 2006".

Dated this 27<sup>th</sup> day of June 2005



Signed by Michelle Reid

as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

05/0724

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b)  
Corporations Law – Subsections 1084(6) and 1454(2) – Variation**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* (the "Act") and subsections 1084(6) and 1454(2) of the Corporations Law (as continued in force by section 1408 of the Act), the Australian Securities and Investments Commission hereby varies ASIC Instrument [04/1207] dated 30 September 2004 by deleting "30 June 2005" (twice occurring) and substituting "30 June 2006".

Dated this 27<sup>th</sup> day of June 2005

Signed by Michelle Reid  
as a delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities &amp; Investments Commission

**0 5 / 0 7 3 0****Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b)  
Corporations Law – Subsection 1454(2) – Variation**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* (the "Act") and subsection 1454(2) of the Corporations Law (as continued in force by section 1408 of the Act), the Australian Securities and Investments Commission hereby varies ASIC Instrument [01/0362] dated 29<sup>th</sup> day of March 2001 by:

1. deleting "30 June 2004" and substituting "30 June 2009"; and
2. deleting "30 June 2005" and substituting "30 June 2010".

Dated this 28<sup>th</sup> day of June 2005



Signed by Michelle Reid  
as a delegate of the Australian Securities and Investments Commission

**ASIC**

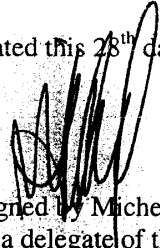
Australian Securities &amp; Investments Commission

**0 5 / 0 7 3 1****Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b)  
Corporations Law – Subsection 1454(2) – Variation**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* (the "Act") and subsection 1454(2) of the Corporations Law (as continued in force by section 1408 of the Act), the Australian Securities and Investments Commission hereby varies ASIC Instrument [01/0360] dated 29<sup>th</sup> day of March 2001 by:

1. deleting "30 June 2004" and substituting "30 June 2009"; and
2. deleting "30 June 2005" and substituting "30 June 2010".

Dated this 28<sup>th</sup> day of June 2005



Signed by Michelle Reid  
as a delegate of the Australian Securities and Investments Commission



**ASIC**

Australian Securities & Investments Commission

05 / 0732

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

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

TO: Clark Pollard & Co Pty Ltd, ABN 21 003 070 915 ("the Licensee")  
GPO BOX 3465 SYDNEY NSW 2001

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 247160 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 28<sup>th</sup> day of June 2005.

Signed .....

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



**ASIC**

Australian Securities & Investments Commission

**0 5 / 0 7 3 3**

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

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

**TO:** Utilities Funds Management Pty Ltd. ABN: 39 079 505 507 ("the Licensee")  
Level 10, 191 Clarence Street, Sydney, NSW, 2000

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 264750 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 28<sup>th</sup> day of June 2005.

Signed .....

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

0 5 / 0 7 3 4

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 669(1) - Declaration**

Pursuant to paragraph 669(1)(b) of the Corporations Act 2001 ("Act"), the Australian Securities and Investments Commission ("ASIC") hereby declares that Chapter 6A of the Act applies to the person specified in Schedule A in the case specified in Schedule B as if subsection 663A(1) were modified or varied by omitting the second sentence of that subsection and replacing it with the following:

"This section does not apply to securities if a notice has been given under section 664C in relation to the convertible securities."


**Schedule A**

BHP Billiton Lonsdale Investments Pty Ltd ACN 004 346 972 ("BHP Billiton")

**Schedule B**

Compulsory buy-out offers by BHP Billiton for all of the options over unissued ordinary shares in WMC Resources Ltd ACN 004 184 598, under Division 3, Part 6A.1 of the Act.

Dated this 23rd day of June 2005

  
.....

Signed by Rachel Howitt

As a delegate of the Australian Securities and Investments Commission



05 / 0735

**Australian Securities and Investments Commission  
Corporations Act 2001 - Section 283GA – Declaration**

Pursuant to paragraph 283GA(1)(b) of the Corporations Act 2001 ("Act"), the Australian Securities and Investments Commission ("ASIC") hereby declares that Chapter 2L of the Act applies to the person specified in Schedule A in the case referred to in Schedule B as if:

- (a) in paragraph 283BB(c) after the first appearance of the word "records" the phrase ", and all records relating to the registered schemes for which the borrower is acting as responsible entity," were inserted; and
- (b) in section 283BG after the first appearance of the word "borrower" the phrase "in its capacity as responsible entity of a particular registered scheme" were inserted;
- (c) in paragraph 283BG(b) after the word "borrower" the phrase "held in its capacity as responsible entity of that particular registered scheme" were inserted; and
- (d) at the end of subsection 283EA(1) the "." were deleted and replaced with "; or" and a new subparagraph 283EA(1)(c)(iii) were inserted after subparagraph 283EA(1)(c)(ii) as follows:
  - "(iii) consider the most recent annual financial statements that were prepared by the borrower in its capacity as responsible entity of the relevant registered scheme."

**Schedule A**

Allco Managed Investments Limited ACN 101 402 635 ("AMIL")

**Schedule B**

The issue of debentures by AMIL in its capacity as responsible entity of the Allco Hybrid Investment Trust ARSN 109 102 070 ("Trust") pursuant to a combined prospectus and product disclosure document lodged with ASIC on or about 30 June 2005, where the Trust is a registered scheme under the provisions of Chapter 5C of the Corporations Act 2001 (Cth).

Dated this 22nd day of June 2005



Signed by Katharine Motteram  
as a delegate of the Australian Securities and Investments Commission

0 5 / 0 7 4 1

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

Pursuant to subsection 741(1) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission ("ASIC") hereby declares that Chapter 6D of the Act applies to the persons specified in Schedule A in the case specified in Schedule B as if:

1. the text of subsection 711(5) of the Act was omitted and replaced with:

"If the prospectus for an offer of securities states or implies that the securities will be able to be traded on one of two alternate financial markets (whether in Australia or elsewhere), the prospectus must state that an application for admission of the securities to quotation on one of those financial markets (the first financial market) will be made to the operator of that financial market within 7 days after the date of the prospectus and that in the event that the application for admission of the securities to quotation on the first financial market is refused, an application for admission of the securities to quotation on the alternate financial market will be made to the operator of that financial market within 7 days after notification that the securities will not be admitted to quotation on the first financial market.";
2. the words "a financial market" in subsection 723(3) of the Act were deleted and replaced with the words "one of two alternate financial markets";
3. the text of paragraph 723(3)(a) of the Act was omitted and replaced with:

"an application for admission of the securities to quotation is not made:

  - (i) to the operator of one of those financial markets (the first financial market) within 7 days after the date of the disclosure document; and
  - (ii) in the event that the application for admission of the securities to quotation on the first financial market is refused, to the operator of the alternate financial market within 7 days after notification that the securities will not be admitted to quotation on the first financial market; or";
4. the text of paragraph 723(3)(b) of the Act was omitted and replaced with:

"the securities are not admitted to quotation on either of the financial markets within 3 months after the later of:

  - (i) the date of the disclosure document; and
  - (ii) the date of a supplementary disclosure document which relates to the matters referred to in paragraph 724(1)(b) or subsection 724(1AA), or which otherwise relates to the admission to quotation of the securities offered under the disclosure document;";

05 / 0741

5. paragraph 724(1)(a) of the Act was modified or varied by omitting the words "and that condition is not satisfied within 4 months after the date of the disclosure document" and substituting the words:

"and that condition is not satisfied within 4 months after the later of:

- (i) the date of the disclosure document; or
- (ii) the date of a supplementary disclosure document which relates to the matters referred to in subparagraph 724(1)(b) or subsection 724(1AA) and which explains the effect of this paragraph and subsection 724(1AA)"; and

6. the words "a financial market" in paragraph 724(1)(b) of the Act were deleted and replaced with the words "one of two alternate financial markets";

7. the text of subparagraph 724(1)(b)(i) of the Act was omitted and replaced with:

"an application for admission of the securities to quotation is not made:

- (A) to the operator of one of those financial markets (the first financial market) within 7 days after the date of the disclosure document; and
- (B) in the event that the application for admission of the securities to quotation on the first financial market is refused, to the operator of the alternate financial market within 7 days after notification that the securities will not be admitted to quotation on the first financial market";

8. the text of subparagraph 724(1)(b)(ii) of the Act was omitted and replaced with:

"the securities are not admitted to quotation on either of the financial markets within 3 months after the later of:

- (A) the date of the disclosure document; and
- (B) the date of a supplementary disclosure document which relates to the matters referred to in paragraph 724(1)(b)(i) and which explains the effect of this paragraph; or"; and

9. section 724 was amended by inserting the following subsection after subsection 724(1):

"724(1AA) Where a person lodges a supplementary disclosure document which relates to the matters referred to in subparagraph (1)(b)(ii) or this subsection, and the condition referred to in subparagraph (1)(b)(ii) is not satisfied within 3 months after the date of the supplementary disclosure document, the person must deal under subsection (2) with any applications for the securities made under the disclosure document to which the supplementary disclosure document relates that have not resulted in an issue or transfer of the

05 / 0741

securities. For the purpose of working out whether a condition referred to in paragraph (1)(a) has been satisfied, a person who has agreed to take securities as underwriter is taken to have applied for those securities."

**SCHEDULE A**

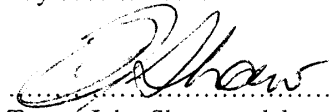
Hindmarsh Resources Limited ACN 106 444 857 ("Issuer") and any person acting on its behalf.

**SCHEDULE B**

An offer or issue of securities of the Issuer under a prospectus lodged with ASIC on 3 June 2005.

Dated this 14<sup>th</sup> day of June 2005.

Signed:



.....

Trevor John Shaw, as delegate of the  
Australian Securities and Investments Commission

**Australian Securities and Investments Commission**  
**Corporations Act 2001 – Subsection 741(1) - Declaration**      **0 5 / 0 7 4 2**

Under paragraph 741(1)(b) of the Corporations Act 2001 (“Act”), the Australian Securities and Investments Commission (“ASIC”) declares that Chapter 6D applies to the persons specified in Schedule A in the case referred to in Schedule B as if section 707 were modified or varied by omitting subsections 707(3) and (4) and substituting:

- “(3) An offer of a body's securities for sale within 12 months after their issue needs disclosure to investors under this Part if the body issued the securities:
- (a) without disclosure to investors under this Part; and
  - (b) with the purpose of the person to whom they were issued:
    - (i) selling or transferring them; or
    - (ii) granting, issuing or transferring interests in, or options or warrants over, them;
- and section 708 or 708A does not say otherwise.
- (4) Unless the contrary is proved, a body is taken to issue securities with the purpose referred to in paragraph 3(b) if any of the securities are subsequently sold, or offered for sale, within 12 months after their issue provided that a body is not taken to have issued securities with the purpose referred to in paragraph 3(b) by virtue only of that body having facilitated, and advised its employees in relation to, the sale of the body's securities issued to its employees.”

**Schedule A**

1. SKYCITY Entertainment Group Limited ARBN 098 775 047 (“SKYCITY”).
2. All wholly owned subsidiaries of SKYCITY incorporated in Australia (“Australian Subsidiaries”).
3. All employees of SKYCITY or an Australian Subsidiary (“Employees”).

**Schedule B**

Any offer of the ordinary shares in the capital of SKYCITY (“Shares”) for sale where:

- (a) the Shares are of a class of securities that were quoted securities at all times during the twelve months before the day on which those Shares were issued; and
- (b) the Shares were issued by SKYCITY under its Performance Pay Incentive Plan, or that of one of its Australian subsidiaries, (the rules of which are in substantially the same form as the draft rules which were lodged with ASIC on 3 June 2005) and that plan complied with ASIC CO03/184 (or any ASIC Employee Share Scheme class order replacing CO03/184) at the time the Shares were issued.

DATED this 22nd day of June 2005

  
 .....

SIGNED by Trevor John Shaw, as delegate of the  
 Australian Securities & Investments Commission.

**ASIC**

Australian Securities &amp; Investments Commission

**0 5 / 0 7 4 4**

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b)  
Corporations Law – Subsections 1454(2) and 1084(6) – Variation**

Pursuant to paragraph 601QA(1)(b) of the *Corporations Act 2001* (the "Act") and subsections 1454(2) and 1084(6) of the Corporations Law (as continued in force by section 1408 of the Act), the Australian Securities and Investments Commission hereby varies ASIC Instrument [00/2502] dated 30<sup>th</sup> day of June 2000 by deleting "30 June 2005" and substituting "31 August 2005".

Dated this 30<sup>th</sup> day of June 2005

Signed by Michelle Reid  
as a delegate of the Australian Securities and Investments Commission

0 5 / 0 7 4 5

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person referred to in the Schedule as if section 601GC was modified or varied as follows:

- (a) in subsection (1) omit "The", substitute "Subject to subsection (1AA), the"; and
- (b) insert after subsection (1):

"(1AA) the responsible entity may modify the constitution of a registered scheme by removing a termination clause where the responsible entity reasonably considers that:

- (a) the clause was included in the constitution to avoid the application of the rules of law relating to perpetuities in relation to the scheme;
- (b) the removal of the clause does not either:
  - (i) materially change the nature of the scheme; or
  - (ii) have a materially adverse effect on the interests of members.

Note: By paragraph 601FC(1)(c), the responsible entity must also act in the best interests of the members in exercising this power to remove the termination clause.

- (1AB) A responsible entity that makes modifications of the scheme constitution of the kind covered by subsection (1AA) must give each member of the scheme a notice in writing that sets out the reason for, and the effect of, the modifications. The notice must be:
  - (a) given no later than the date of the giving of the first communication by the responsible entity to all members of the scheme after the date when the modifications are made; and
  - (b) worded in a clear, concise and effective manner.
- (1AC) In subsection (1AA), **termination clause** means a clause in a scheme's constitution which has the effect of terminating the scheme at a specified time (for the avoidance of doubt including a time specified by reference to the life of a person)."

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0 5 / 0 7 4 5

**Schedule**

Orchard Investments Management Limited ACN 105 684 231 as responsible entity of  
the Timbercorp Orchard Trust ARSN 106 557 297.

Dated this 30<sup>th</sup> day of June 2005



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



0 5 / 0 7 4 6

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

Under paragraph 1020F(1)(a) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission exempts Credit Suisse (ARBN 061 700 712) ("CS") from Divisions 2 to 5A of Part 7.9 of the Act, in the case referred to in Schedule A on the conditions set out in Schedule B for so long as they are met.

**Schedule A**

Where CS:

- (a) makes offers to issue or invitations to apply for, or issues, the Share Sale Facility; or
- (b) makes offers to purchase, or invitations to make offers to sell, Deliverable Securities under the Share Sale Facility.

**Schedule B**

1. The Share Sale Facility:
  - (a) is described in the PDS, and its terms and conditions as at the date of the PDS are included in the PDS; and
  - (b) is only available to holders of ORBITS Warrants who receive a Completion Notice.
2. The Completion Notice is worded and presented in a clear, concise and effective manner and includes the following information:
  - (a) the terms and conditions of the Share Sale Facility;
  - (b) the time by which Completion Notices must be returned;
  - (c) information about how the sale price of the Deliverable Securities will be determined;
  - (d) information about how up-to-date information on the price of the Deliverable Securities can be obtained;
  - (e) information about expenses (if any) relating to the services provided by CS and charged to holders of ORBITS Warrants under the Share Sale Facility;
  - (f) information about the significant benefits, risks or other characteristics and features of the Share Sale Facility; and
  - (g) information about how to access the PDS.

0 5 / 0 7 4 6

**Interpretation**

In this instrument:

“**Completion Notice**” means the notice issued by or on behalf of CS to holders of ORBITS Warrants under which they may elect to participate in the Share Sale Facility.

“**Deliverable Securities**” means the securities deliverable to the holders of ORBITS Warrants following expiry of ORBITS Warrants.

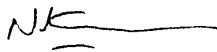
“**ORBITS Warrants**” means three series of warrants:

- (a) issued or to be issued by CS;
- (b) known as or to be known collectively as “Credit Suisse ORB Investment Traded Securities” or “ORBITS”, and individually as “International Income ORBITS”, “Australian Income ORBITS” and “International Growth ORBITS”; and
- (c) admitted or to be admitted to trading status on a financial market of the Australian Stock Exchange Limited.

“**PDS**” means the product disclosure statement relating to ORBITS Warrants to be issued by CS and dated on or about 30 June 2005.

“**Share Sale Facility**” means the facility made available by CS to holders of ORBITS Warrants under which they may dispose of Deliverable Securities to CS.

Dated this 29<sup>th</sup> day of June 2005



Signed by Nita Alexander  
as a delegate of the Australian Securities and Investments Commission

0 5 / 0 7 4 7

**Australian Securities and Investments Commission**  
**Corporations Act 2001 — Paragraphs 926A(2)(a), 926A(2)(c), 951B(1)(a),**  
**992B(1)(a) and 1020F(1)(a) — Revocation, Exemption and Declaration**

1. Under paragraphs 926A(2)(a), 926A(2)(c), 951B(1)(a), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001* (the "Act") the Australian Securities and Investments Commission ("ASIC") revokes ASIC Instrument [05/0620].  
+
2. Under paragraph 926A(2)(a) of the Act, ASIC exempts, until 28 February 2006, the person referred to in Schedule A from Divisions 3 and 5 of Part 7.6 of the Act for dealing in, and providing financial product advice in relation to, the financial product referred to in Schedule B in the case referred to in Schedule C on the conditions set out in Schedule D and for so long as those conditions are met.
3. Under paragraphs 951B(1)(a), 992B(1)(a) and 1020F(1)(a) of the Act, ASIC exempts, until 28 February 2006, the person referred to in Schedule A from Divisions 2, 3 and 4 of Part 7.7, Divisions 2, 3, 5 and 6 of Part 7.8 and Part 7.9 of the Act in relation to the financial product referred to in Schedule B in the case referred to in Schedule C on the conditions set out in Schedule D and for so long as those conditions are met.
4. Under paragraph 926A(2)(c) of the Act, ASIC declares that, until 28 February 2006, Part 7.6 (other than Divisions 4 and 8) of the Act applies in relation to the financial product referred to in Schedule B in the case set out in Schedule E as if section 911B of the Act were modified or varied by adding after paragraph (1)(c):

"(ca) these conditions are satisfied:

- (i) the principal holds an Australian financial services licence covering the provision of the service;
  - (ii) the provider is:
    - (A) a representative of the principal; or
    - (B) an employee of a representative of the principal;
  - (iii) the service is dealing in, and providing financial product advice in relation to a facility for making non-cash payments (see section 763D);".
4. Under paragraph 1020F(1)(a) of the Act, ASIC exempts, until 28 February 2006, a person acting in the capacity of a representative of the person referred to in Schedule A, from Part 7.9 of the Act in relation to the financial product referred to in Schedule B.

**Schedule A****0 5 / 0 7 4 7**

Bank of Western Australia Limited ACN 050 494 454 ("Issuer")

**Schedule B**

A facility through which, or through the acquisition of which, a client makes non-cash payments that is constituted by, or is a component of, the BankWest *extra* Rewards Program or the BankWest Business *extra* Rewards Program ("Schemes").

**Schedule C**

Where at all times the Schemes:

- (a) provide benefits to clients based on the clients' use of, or expenditure on, the goods and services of the Issuer or is reasonably likely to promote spending on the goods and services of the Issuer; and
- (b) include a reward redemption facility whereby:
  - (i) clients are allocated credits as a result of using, or spending on, the Issuer's goods or services; and
  - (ii) the credits allocated to a client can be used by the client for a reward redemption; and
- (c) clients are not able to make a cash contribution in exchange for credits except where:
  - (i) they are making a reward redemption; and
  - (ii) the amount of credits exchanged for cash does not exceed 20% of the credits used for the reward redemption; and
  - (iii) the credits exchanged for cash are immediately used for the reward redemption.

**Schedule D**

The Issuer must:

1. establish and maintain an internal dispute resolution system that complies as far as practicable with the Australian Standard on Complaints Handling AS4269-1995 that covers complaints made in connection with a dealing in, or the provision of financial product advice in relation to, the Schemes, or use of the Schemes; and
2. have adequate resources to reasonably ensure clients making a reward redemption are able to obtain the reward they are seeking to obtain as and when the client makes the reward redemption under the Schemes; and

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3. at or before making an offer to a person to participate in the Schemes, provide the person a written document ("disclosure document") which sets out in a manner that is clear, concise and effective, the following statements and such of the following information as the person would reasonably require in order to assess the merits and risks of participating in the Schemes:
  - (a) a statement setting out the name, principal place of business and registered office address of the Issuer; and
  - (b) information about:
    - (i) the cost of participating in the Schemes; and
    - (ii) any other amounts that will or may be payable by the person in respect of the Schemes, and the times at which those amounts will or may be payable; and
  - (c) information about any other significant characteristics or features of the Schemes or of the rights, terms, conditions and obligations attaching to the Schemes; and
  - (d) information about the dispute resolution system that covers complaints by clients and about how that system may be accessed; and
  - (e) if the Issuer makes other information relating to the Schemes available to clients or prospective clients, or to persons more generally – a statement of how that information may be accessed; and
4. where the terms or conditions of the Schemes include a term or condition that:
  - (a) the Issuer may unilaterally vary the terms or conditions of the Schemes; or
  - (b) there is an expiry date by which the person can use their credits to make a reward redemption;ensure that those terms or conditions are set out in a prominent manner in the disclosure document; and
5. where a person is a client as at the date of this instrument, the Issuer must:
  - (a) as soon as reasonably practicable after the date of this instrument, make available on its Internet website the disclosure document, in a manner reasonably likely to come to the attention of a person seeking information about the Schemes on that site; and
  - (b) on the next practicable date when the Issuer provides any other written material to the client, provide all that information in the disclosure document that the Issuer has not then provided and information as to how the client may obtain a copy of the disclosure document.
6. give written notice to clients of any proposed material change to the terms and conditions of the Schemes, or of any proposal by the Issuer to withdraw the Schemes, at least 30 days before the change or withdrawal takes effect; and
7. establish and maintain a means by which the client can readily, and without cost to the client, find out the credits available to the client that can be used by the client to make a reward redemption under the Schemes; and

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8. provide any information in writing as and when requested by ASIC in relation to the Schemes, within 20 business days of any such request.

### Schedule E

A dealing in, and the provision of financial product advice in relation to the financial product referred to in Schedule B as a representative of the person referred to in Schedule A.

#### Interpretation

In this instrument:

*client* means a person who is a participant in a Scheme;

*credits* in relation to a Scheme, includes credits, points, tokens, certificates, vouchers and electronic cash (whether or not they have been attributed a monetary value) that can be used under the Scheme for making a reward redemption;

*dealing* has the meaning given by subsection 766C(1) of the Act;

*financial product advice* has the meaning given by subsection 766B(1) of the Act;

*makes non-cash payments* has the meaning given by section 763D of the Act;

*offer* has a meaning affected by subsection 1010C(2) of the Act;

*representative* has the meaning given by section 910A of the Act;

*reward* means goods or services, or a discount on goods or services, or other thing of use or benefit to a client; and

*reward redemption* means use of credits by a client to make payment, or cause payments to be made, for a reward.

Dated the 1st day of July 2005



Signed by Philippa Flook  
as 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 Administration Appeals Tribunal prevents it from doing so.

**AAA CREDIT UNIT BONDS LIMITED**

ACN 099 032 952 will change to a proprietary company limited by shares. The new name will be AAA CREDIT UNIT BONDS PTY LTD  
ACN 099 032 952

**CATHRX PTY LTD** ACN 089 310 421 will change to a public company limited by shares. The new name will be CATHRX LTD ACN 089 310 421.

**CONSOLIDATED NURSERIES LIMITED**

ACN 113 839 848 will change to a proprietary company limited by shares. The new name will be WIND CLIPS AUSTRALIA PTY. LTD.  
ACN 113 839 848

**DEXTA CORPORATION LTD.** ACN 084 487 712 will change to a proprietary company limited by shares. The new name will be DEXTA CORPORATION PTY LTD ACN 084 487 712

**KO-VEDA HOLIDAY PARK ESTATE LIMITED**

ACN 109 375 831 will change to a public company limited by shares.

**LOOK MOBILE LIMITED** ACN 093 236 189 will change to a proprietary company limited by shares. The new name will be LOOK MOBILE PTY LIMITED ACN 093 236 189.

**ORRCON LIMITED** ACN 010 853 817 will change to a proprietary company limited by shares. The new name will be ORRCON PTY. LTD. ACN 010 853 817

**RELIANCE OPERATIONS LIMITED**

ACN 105 124 034 will change to a proprietary company limited by shares. The new name will be RELIANCE NICKEL PTY LTD ACN 105 124 034

**STABLE AUSTRALIAN RATED SECURITIES LIMITED** ACN 111 138 893 will change to a proprietary company limited by shares. The new name will be STABLE AUSTRALIAN RATED SECURITIES PTY LTD ACN 111 138 893.

**ACN 077 157 003 LTD** ACN 077 157 003 will change to a proprietary company limited by shares. The new name will be ACN 077 157 003 PTY. LTD. ACN 077 157 003.

**CBD ONLINE LIMITED** ACN 086 311 051 will change to a proprietary company limited by shares. The new name will be CBD ONLINE PTY LTD ACN 086 311 051.

**CRT FINANCIAL SERVICES PTY LTD**

ACN 106 149 795 will change to a public company limited by shares. The new name will be CRT FINANCIAL SERVICES LIMITED  
ACN 106 149 795.

**GREATER SECURITIES LIMITED** ACN 099 065 755 will change to a proprietary company limited by shares. The new name will be GREATER SECURITIES PTY LTD ACN 099 065 755.

**KO-VEDA HOLIDAY PARK ESTATE LIMITED**

ACN 109 375 831 will change to a public company limited by shares.

**OPTICAL RETAIL GROUP LIMITED**

ACN 109 771 619 will change to a proprietary company limited by shares. The new name will be OPTICAL RETAIL GROUP PTY LIMITED  
ACN 109 771 619.

**REDBANK MINES PTY LTD** ACN 109 362 165 will change to a public company limited by shares. The new name will be REDBANK MINES LIMITED ACN 109 362 165.

**RENDLE & CO. LIMITED** ACN 054 301 861 will change to a proprietary company limited by shares. The new name will be RENDLE & CO. PTY LIMITED ACN 054 301 861.