



Commonwealth of Australia



**ASIC**

Australian Securities &  
Investments Commission

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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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06/0903

**AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**

**IN THE MATTER OF HEATH STARBUCK**

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

To: Heath Starbuck  
16 David Avenue  
Keilor East VIC 3033

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

Dated this 9<sup>th</sup> day of October 2006

Signed:   
Casandra Francas  
Delegate of the Australian Securities &  
Investments Commission

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

06/0904

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

Notice is hereby given under section 920E of the Corporations Act that the Australian Securities and Investments Commission has made an order in the terms set out below, which order took effect on the date of service of it on the person to whom it relates, being 3 October 2006.

**AUSTRALIAN SECURITIES AND  
INVESTMENTS COMMISSION  
IN THE MATTER OF  
BRADLEY THRUPP  
AND  
PART 7.6 OF THE CORPORATIONS ACT 2001**

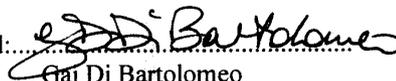
**To: Mr Bradley Thrupp  
39 Newport Drive  
Scarborough QLD 4020**

**BANNING ORDER UNDER SECTION 920A  
OF THE CORPORATIONS ACT 2001**

**TAKE NOTICE** that under sections 920A and 920B of the Corporations Act 2001 the Australian Securities and Investments Commission **PROHIBITS BRADLEY THRUPP** for a period of **ONE (1) YEAR** from providing any financial services.

Dated this 22<sup>nd</sup> day of September 2006.

Signed:.....



Gai Di Bartolomeo  
Delegate of the

Australian Securities and Investments Commission.

\*Your attention is drawn to section 920C of the Corporations Act 2001 which provides that a person must not breach a banning order that has been made against the person.

06/0905

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

Notice is hereby given under section 920E of the Corporations Act that the Australian Securities and Investments Commission has made an order in the terms set out below, which order took effect on the date of service of it on the person to whom it relates, being 22 September 2006.

**AUSTRALIAN SECURITIES AND  
INVESTMENTS COMMISSION  
IN THE MATTER OF  
GRAHAM GEORGE HUCKEL  
AND  
PART 7.6 OF THE CORPORATIONS ACT 2001**

**To: GRAHAM GEORGE HUCKEL  
PO Box 1230  
ORANGE NSW 2800**

**BANNING ORDER UNDER SECTION 920A  
OF THE CORPORATIONS ACT 2001**

**TAKE NOTICE** that under sections 920A and 920B of the Corporations Act 2001 the Australian Securities and Investments Commission **PROHIBITS GRAHAM GEORGE HUCKEL** for a period of **FIVE (5) YEARS** from the date of service of this Banning Order from providing any financial services.

Dated this 14<sup>th</sup> day of September 2006.

Signed:.....



Gai Di Bartolomeo  
Delegate of the  
Australian Securities and Investments Commission.

\*Your attention is drawn to section 920C of the Corporations Act 2001 which provides that a person must not breach a banning order that has been made against the person.

06/0906

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

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order in the terms set out below, which order took effect on the date on which it was served on the person to whom it relates, being 4 October 2006.

**AUSTRALIAN SECURITIES AND  
INVESTMENTS COMMISSION  
IN THE MATTER OF  
KEVIN LOUEY  
AND PART 7.6 OF THE CORPORATIONS ACT 2001**

**To: Kevin Louey  
2 Smith Street  
Bentleigh Victoria**

**BANNING ORDER UNDER SECTION 920A  
OF THE CORPORATIONS ACT 2001**

**TAKE NOTICE** that **UNDER SECTION 920A** of the Corporations Act 2001 the Australian Securities and Investments Commission **PROHIBITS KEVIN LOUEY PERMANENTLY** from providing any financial services.

Dated this 22<sup>nd</sup> day of September 2006.

Signed:.....

Renato Sburlati  
Delegate of the  
Australian Securities and Investments Commission.

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

06/0907

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

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 it on the person to whom it relates, being 28 September 2006.

**AUSTRALIAN SECURITIES AND  
INVESTMENTS COMMISSION  
IN THE MATTER OF  
BYRON MICHAEL LYE  
AND  
PART 7.6 OF THE CORPORATIONS ACT 2001**

**To: BYRON MICHAEL LYE**  
**4 Suttor Court**  
**Murrumba Downs Qld 4503**

**BANNING ORDER UNDER SECTION 920A  
OF THE CORPORATIONS ACT 2001**

**TAKE NOTICE** that **UNDER SECTION 920A** of the Corporations Act 2001 the Australian Securities and Investments Commission **PROHIBITS BYRON MICHAEL LYE** from providing any financial services for a period of **FIVE(5) YEARS**.

Dated this 26 day of September 2006.

Signed:  .....

Valdemar Malinaric  
Delegate of the  
Australian Securities and Investments Commission.

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

06/0908

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

1. Pursuant to paragraph 1020F(1)(a) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission ("ASIC") hereby exempts the person specified in Schedule A from subsection 1016A(2) of the Act in the case described in Schedule B.
2. And pursuant to paragraph 1020F(1)(c) of the Act ASIC hereby declares that Part 7.9 of the Act applies to the person specified in Schedule A in the case set out in Schedule B as if section 1015C were modified or varied by:
  - (a) in subparagraph (1)(a)(ii) omitting "and" and substituting "or";
  - (b) in paragraph (1)(a) inserting a new subparagraph (iii):

"(iii) sent to the person, at the person's address in the register of members maintained by NMFMS Split Equity Fund No. 1 ARSN 091 240 738 under section 168; and"

**Schedule A**

National Mutual Funds Management Ltd ACN 006 787 720 ("NMFMS") as the responsible entity of the Wholesale Australian Equity – Value Fund ARSN 091 554 513 ("WAEV").

**Schedule B**

The issue of units in WAEV in connection with a proposal to merge NMFMS Split Equity Fund No. 1 ARSN 091 240 738 ("**Split Equity Fund**") and WAEV where:

- (a) at a meeting of members of the Split Equity Fund on or about 14 November 2006, Capital Members are asked to vote on a proposal to merge the Split Equity Fund with WAEV such that Capital Members at the time of the merger will exchange their Capital Units for class A units in WAEV to the same value ("**Fund Merger Proposal**");
- (b) if the Fund Merger Proposal is passed, Capital Members have their Capital Units transferred to NMFMS in its capacity as the responsible entity of WAEV or its custodian and in exchange are issued with class A units in WAEV of the same value; and
- (c) prior to the meeting referred to in subparagraph (a), NMFMS gives to members in the Split Equity Fund a notice of meeting, an explanatory memorandum in relation to the Fund Merger Proposal, and a Product Disclosure Statement for interests in WAEV by sending them to the address of the unitholder shown in the register of Split Equity Fund unitholders.

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**Interpretation**

In this instrument:

*Capital Members* mean the members of the Split Equity Fund who hold Capital Units;

*Capital Units* means the units of the Split Equity Fund that are designated by NMFMM at the time of issue to be capital units under the constitution of that scheme.

Dated this 20<sup>th</sup> day of October 2006

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



06/0909

**ASIC**

Australian Securities & Investments Commission

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

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

**TO:** Derivative Fund Management Limited, ABN 58 056 780 600 ("the Licensee") Level 7, 350 Collins Street, Melbourne Vic 3000

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 259584 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 24 October 2006

Signed

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

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

06/0911

**Australian Securities and Investments Commission  
Corporations Act 2001 — Subsection 741(1) — Exemption and Modification**

1. Under paragraph 741(1)(a) of the *Corporations Act 2001* (“Act”), the Australian Securities and Investments Commission (“ASIC”) exempts the persons specified in Schedule A from compliance with Parts 6D.2 and 6D.3 of the Act in the case referred to in Schedule B.
2. Under paragraph 741(1)(b) of the Act, ASIC declares that Chapter 6D applies to the persons specified in Schedule C in the case referred to in Schedule D 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.”

**Schedule A**

Celtic Resources Holdings Plc, registered in England, registered number FC02107 (“Celtic”)

**Schedule B**

An offer to Australian resident shareholders of Eureka Mining Plc, registered in England and Wales, registered number 4921104 (“Eureka”) for the issue of Celtic Shares, as contained in the Circular for the Scheme of Arrangement.

**Schedule C**

Any shareholder of Celtic who makes an offer of Celtic Shares for sale.

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**Schedule D**

An offer for sale of any of Celtic Shares that are issued pursuant to the Scheme of Arrangement to the holders at the record time and date for the Scheme of Arrangement of ordinary shares in Eureka.

**Interpretation**

In this instrument,

“**Celtic Shares**” means ordinary shares in Celtic.

“**Circular**” means the explanatory circular to be dated on or about 27 October 2006 to be issued by Eureka Mining Plc to holders of its ordinary shares and describing the proposed Scheme of Arrangement.

“**Scheme of Arrangement**” means the scheme of arrangement pursuant to section 425 of the UK *Companies Act 1985* between Eureka Mining Plc and its members as described in the Circular.

References to a person offering securities includes a reference to the person inviting applications for the securities.

Dated the 25<sup>th</sup> day of October 2006.



Signed by Rupert Clive Smoker  
As delegate of the Australian Securities & Investments Commission.

06/0912

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

**Disclosure relief**

1. Under paragraphs 741(1)(a) and 1020F(1)(a) of the *Corporations Act 2001* (the "Act"), the Australian Securities and Investments Commission ("ASIC") exempts:
  - (a) Lockheed Martin Corporation (the "Issuer"), a body corporate incorporated under the laws of the United States, from Parts 6D.2 and 6D.3 and, for the avoidance of doubt, Part 7.9 where the Issuer:
    - (i) makes an eligible offer;
    - (ii) offers to arrange for the issue of financial products under an eligible offer;
    - (iii) issues a financial product under an eligible offer,that does not involve a contribution plan, on the conditions set out in the Schedule and for so long as those conditions are met; and
  - (b) a person (other than the person covered by paragraph (a)) from Part 7.9 where the person makes a recommendation to acquire financial products under an eligible offer that does not involve a contribution plan, except where the person is aware, or ought reasonably to be aware, that any of the conditions set out in the Schedule have not been met.

**Licensing and hawking relief**

2. Under paragraph 911A(2)(l) of the Act, ASIC exempts the Issuer from the requirement to hold an Australian financial services licence for the provision of a financial service consisting of general advice reasonably given in connection with an eligible offer covered by paragraph 1 of this instrument (including any general advice given in the offer document) where the offer document for the offer includes a statement to the effect that any advice given by the person in connection with the offer is general advice only, and that eligible employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice, on the conditions set out in the Schedule and for so long as those conditions are met.
3. Under paragraph 911A(2)(l) of the Act, ASIC exempts:
  - (a) the Issuer; and
  - (b) any associate of the Issuer,from the requirement to hold an Australian financial services licence for the provision of the following financial services on the conditions set out in the Schedule and for so long as those conditions are met:

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- (c) dealing in a financial product in connection with an eligible offer covered by paragraph 1 of this instrument where any acquisition by purchase or disposal of the financial product (by the Issuer or an associate of the Issuer) occurs outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
4. Under paragraphs 741(1)(a) and 992B(1)(a) of the Act, ASIC exempts the Issuer from sections 736 and 992A in relation to offers made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with an eligible offer covered by paragraph 1 of this instrument, on the conditions set out in the Schedule and for so long as those conditions are met.

#### Schedule

The following conditions apply:

1. the Issuer must:
  - (a) include the eligible offer in an offer document; and
  - (b) take reasonable steps to ensure that any eligible employee to whom the offer is made is given a copy of the offer document; and
  - (c) provide to ASIC a copy of the offer document (which need not contain details of the 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
2. the Issuer must comply (or, in the case where the Issuer does not have a registered office in this jurisdiction, cause an associated body corporate which does so have a registered office to comply) with any undertaking required to be made in the offer document by reason of this instrument; and
3. the Issuer must take reasonable steps to ensure that the number of shares of common stock to be issued on vesting of the RSUs the subject of the offer, when aggregated with:
  - (a) the number of shares of common stock in the Issuer which would be issued were each outstanding offer with respect to RSUs, shares, units of shares and options to acquire unissued shares, under an employee share scheme to be accepted or exercised; and
  - (b) the number of shares of common stock in the Issuer issued during the previous 5 years pursuant to the Plan or any other employee share scheme extended only to eligible employees of the Issuer;

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

- (c) an offer to a person situated at the time of receipt of the offer outside this jurisdiction; or
- (d) an offer that was an excluded offer or invitation within the meaning of the Corporations Law as in force before the commencement of Schedule 1 to the *Corporate Law Economic Reform Program Act 1999*; or

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- (e) an offer that did not need disclosure to investors because of section 708; or
  - (f) an offer that did not require the giving of a Product Disclosure Statement because of section 1012D; or
  - (g) an offer made under a disclosure document or Product Disclosure Statement, must not exceed 5% of the total number of issued shares of common stock of the Issuer as at the time of the offer;
4. the Issuer must take all reasonable steps to ensure that the provisions of the Rules are complied with; and
  5. the Issuer must take all reasonable steps to ensure that the Plan at all times complies with the laws of the United States.

*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**

In this instrument:

1. except where otherwise stated, references to provisions are to provisions of the Act;
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 RSUs made to them under the Plan in favour of their nominee and for the purposes of this instrument a reference to an employee share scheme includes the Plan unless the contrary intention appears;
3. “associated body corporate” of the Issuer means:
  - (a) a body corporate that is a related body corporate of the Issuer; or
  - (b) a body corporate that has voting power in the Issuer of not less than 20%; or
  - (c) a body corporate in which the Issuer 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 the price relates;
5. “contribution plan” means a plan under which a participating eligible employee may save money by regular deductions from wages or salary (including salary sacrifice arrangements) towards paying for shares offered for issue or sale under an employee share scheme where the terms and conditions of the contribution plan include terms and conditions to the effect that:
  - (a) all deductions from wages or salary made in connection with participation in the contribution plan must be authorised by the employee on the same form of application which is used in respect of the offer, or on a form which is included in or accompanies the offer document;
  - (b) before transferring contributions to acquire shares, any contributions made by an employee as part of the contribution plan must be held by the issuer in

trust for the employee in an account of an Australian ADI which is established and kept by the issuer only for the purpose of depositing contribution moneys and other money paid by employees for the shares on offer under the employee share scheme; and

- (c) the employee may elect to discontinue their participation in the contribution plan at any time and as soon as practicable after that election is made all money deposited with the Australian ADI in relation to that employee, including any accumulated interest, must be repaid to that employee;
6. "current market price" means, in relation to a share, the price published by the operator of the principal financial market on which the share is quoted as the final price for the previous day on which the share was traded on that financial market;
7. "eligible employee" means, in relation to the Issuer, a person who is at the time of an offer under an employee share scheme, a full or part-time employee or director of the Issuer or of an associated body corporate of the Issuer;
8. "eligible offer" means an offer for the issue of an RSU made under the Plan;
9. "financial product advice" has the meaning given by section 766B;
10. "general advice" has the meaning given by section 766B;
11. "offer" has a meaning affected by sections 700, 702 and 1010C;
12. "offer document" means a document setting out an offer under the Plan that:
- (a) includes or is accompanied by a copy, or a summary, of the Rules under which the offer is made; and
- (b) if a summary (rather than a copy) of the Rules is given - includes an undertaking that during the period (the "offer period") during which an eligible employee may acquire RSUs offered or exercise RSUs acquired under the Plan, the Issuer (or, in the case where the Issuer does not have a registered office in this jurisdiction, an associated body corporate of the Issuer which does so have a registered office) will, within a reasonable period of the employee so requesting, provide the employee without charge with a copy of the Rules; and
- (c) specifies in respect of the shares subject to RSUs:
- (i) the acquisition price in Australian dollars;
- (ii) where the acquisition price is specified in a foreign currency, the Australian dollar equivalent of that price at the date of the offer; or
- (iii) where the acquisition price is to be worked out in the future under a formula, the Australian dollar or Australian dollar equivalent of that price were that formula applied at the date of the offer; and
- (d) includes an undertaking that, and an explanation of the way in which, the Issuer (or in the case where the Issuer does not have a registered office in this jurisdiction, an associated body corporate of the Issuer which does so
-

have a registered office) will, during the offer period, within a reasonable period of the employee requesting, make available to the employee:

- (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of shares in the same class as those offered under the Plan; and
  - (ii) where subparagraph (c)(ii) or (iii) applies, the information referred to in that paragraph as updated to that date; and
  - (e) discloses the conditions, obligations and risks associated with any loan or financial assistance offered by the Issuer or any associated body corporate of it for the purpose of acquiring shares on vesting of RSUs under the Plan;
13. "Plan" means the Lockheed Martin Corporation 2003 Incentive Performance Award Plan as amended from time to time, under which eligible employees may be offered, by way of issue, RSUs;
14. "RSU" means an eligible employee's unsecured right under the Plan to receive from the Issuer title to a certain number of shares of common stock of the Issuer on the satisfaction of certain conditions set out in an agreement between the Issuer and the eligible employee called an "RSU Award Agreement"; and
15. "Rules" means the rules of the Plan included with or accompanying the offer document.

#### **Commencement**

This instrument takes effect on gazettal.

Dated this 19<sup>th</sup> day of October 2006



Signed by  
Duncan Brakell  
as a delegate of the Australian Securities and Investments Commission

06/0913

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 911A(2)(l) and 741(1)(a) – Exemptions**

1. Under paragraph 911A(2)(l) of the *Corporations Act 2001* (“Act”), the Australian Securities and Investments Commission (“ASIC”) exempts Wotif.com Holdings Limited ACN 093 000 456 (“WHL”) from the requirement to hold an Australian financial services licence for the provision of a financial service consisting of general advice reasonably given in connection with the Exempt Employee Share Scheme in the case set out in the Schedule.
2. Under paragraph 741(1)(a) of the Act, ASIC exempts WHL from section 736 in relation to offers made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with the Exempt Employee Share Scheme in the case set out in the Schedule.

**Schedule**

Where:

- (a) WHL warns the Eligible Employee, at the same time as the advice is provided and by the same means as the advice is provided, that:
  - (i) the advice was prepared without taking account the Eligible Employee's objectives, financial situations or needs; and
  - (ii) because of that, the Eligible Employee should, before acting on the advice, consider the appropriateness of the advice, having regard to the Eligible Employee's objectives, financial situations or needs;
- (b) the general advice given to eligible employees is provided solely for the purpose of the Exempt Employee Share Scheme; and
- (c) the number of Eligible Employees in the Exempt Employee Share Scheme who are residents of or located in this jurisdiction does not, at any point in time, exceed 5% of the total number of Eligible Employees in the relevant Exempt Employee Share Scheme.

**Interpretation**

In this instrument:

Except where otherwise stated, references to provisions are to provisions of the Act.

**associated body corporate** means:

- (a) a body corporate that is a related body corporate of WHL;
- (b) a body corporate that has voting power in WHL of not less than 20%; or
- (c) a body corporate in which WHL has voting power of not less than 20%.

**contractor** means an individual who has, at the date of the offer,:

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- (a) been retained by WHL or an associated body corporate of WHL for more than one year; and
- (b) received 80% or more of their income in the preceding year from WHL or an associated body corporate of WHL.

**Eligible Employee** means, in relation to WHL, a person who is at the time of an offer under an Exempt Employee Share Scheme a full or part-time employee, contractor, or director of WHL or of an associated body corporate of WHL.

**Exempt Employee Share Scheme** means an employee share scheme offered by WHL under which fully paid shares in WHL are to be issued by WHL without disclosure to investors under Part 6D.2 of in reliance of subsection 708(15).

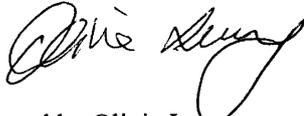
**financial product advice** has the meaning given by section 766B.

**general advice** has the meaning given by section 766B.

#### **Commencement**

This instrument takes effect on gazettal.

Dated this 23<sup>rd</sup> day of October 2006



Signed by Olivia Leung  
as a delegate of the Australian Securities and Investments Commission

0 6 / 0 9 1 4

**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 of the Act applies to Macquarie Media Management Limited ACN 115 524 019 (the “Responsible Entity”) as responsible entity of Macquarie Media Trust ARSN 116 151 467 (the “Trust”), in the case specified in the Schedule as if section 601GAA as notionally inserted into the Act by ASIC Class Order [05/26] were further modified or varied by omitting subsection 601GAA(8) and substituting:

- “(8) The responsible entity may set the price for the sale of interests that have, in accordance with the constitution, been forfeited to the responsible entity on trust for members of the scheme where part (the *outstanding amount*) of the issue price for the interest has not been paid when called and all of the following apply:
- (a) on the payment of the outstanding amount, the interest would be in a class of interests that are quoted on the financial market of ASX;
  - (b) the sale of the forfeited interest is in accordance with section 254Q, other than subsections (1), (2), (5), (9), (10) and (13), as if the interests were shares, the scheme was the company and the responsible entity was each director of the company;
  - (c) the forfeited interest is offered for sale by public auction within 10 weeks after the call becomes payable;
  - (d) the sale takes place before 30 April 2007.”

**Schedule**

Where all of the following apply:

- (a) interests in the Trust have been issued on terms that require members to pay part of the issue price when the interests are issued and the balance (the “outstanding amount”) on or before 22 November 2006 or such later date as the Responsible Entity determines (the “due date”);
- (b) on or about 14 December 2006 the Responsible Entity sends a notice to members who have failed to pay the outstanding amount for interests they hold on or before the due date that states:
  - (i) that the interests for which the outstanding amount has not been paid will be forfeited to the Responsible Entity;
  - (ii) that the Responsible Entity will sell those interests by public auction;
  - (iii) the terms upon which the sale will take place;
  - (iv) how the proceeds of sale will be dealt with;

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- (c) the Responsible Entity sells the interests by public auction on or before 30 April 2007.

Dated this 23<sup>rd</sup> day of October 2006



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

06/0915

**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 specified in Schedule A in the case described in Schedule B as if paragraph 601GC(1)(a) were modified or varied by deleting “special resolution of the members of the scheme” and substituting “the responsible entity if the member of the scheme provides its written consent to the modification, or repeal and replacement”.

**Schedule A**

Australian Pipeline Limited ACN 091 344 704 (“APL”) in its capacity as responsible entity of APT Investment Trust ARSN 115 585 441 (the “Scheme”).

**Schedule B**

1. The only member of the Scheme is Tally Maree Perry in her capacity as nominee for the members of Australian Pipeline Trust ARSN 091 678 778.
2. All interests in the Scheme were issued in circumstances that did not require the responsible entity to give a disclosure document or Product Disclosure Statement under the Act.

Dated this 19<sup>th</sup> day of October 2006



Signed by Carol Daniel  
as a delegate of the Australian Securities and Investment Commission.

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

Under paragraph 741(1)(b) of the *Corporations Act 2001 (Act)* the Australian Securities and Investments Commission (*ASIC*) 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 paragraph 723(3)(b) of the Act was omitted and the following substituted:  
"the securities are not admitted to quotation within 3 months after the later of:
  - (i) the date of the disclosure document; and
  - (ii) the date of the latest supplementary disclosure document which discloses that the securities are not admitted to quotation;"
2. 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:
  - (iii) the date of the disclosure document; or
  - (iv) the date of any supplementary disclosure document which discloses that the securities are not admitted to quotation"; and
3. the text of subparagraph 724(1)(b)(ii) was omitted and the following substituted:  
"(ii) the securities are not admitted to quotation within 3 months after:
  - (A) the date of the disclosure document; or
  - (B) the date of any supplementary disclosure document which discloses that the securities are not admitted to quotation;"

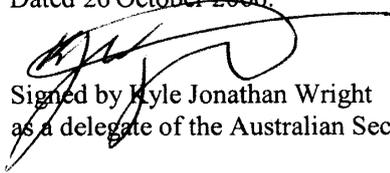
**SCHEDULE A**

Queensland Gold and Minerals Limited ACN 096 142 737 (*Issuer*) and any person acting on its behalf.

**SCHEDULE B**

An offer or issue of securities of the Issuer under a disclosure document lodged with ASIC on 28 July 2006.

Dated 26 October 2006.

  
Signed by Kyle Jonathan Wright  
as 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 Administration Appeals Tribunal prevents it from doing so.

**ANNIEANDJOHNPATERSON FOUNDATION LTD** ACN 106 934 196 will change to a public company limited by shares.

**CSM ENERGY PTY LTD** ACN 114 795 229 will change to a public company limited by shares. The new name will be CSM ENERGY LIMITED ACN 114 795 229.

**FOODS BIS LTD** ACN 098 051 720 will change to a proprietary company limited by shares. The new name will be FOODS BIS PTY LTD ACN 098 051 720.

**VISUAL SIGNALS PTY LTD** ACN 009 196 749 will change to a public company limited by shares. The new name will be VISUAL SIGNALS LIMITED ACN 009 196 749.

**3D FUN TIMES PTY LTD** ACN 118 965 932 will change to a public company limited by shares. The new name will be 3D FUNTIMES LIMITED ACN 118 965 932.

**DIGITAL MESSAGING SOLUTIONS PTY LTD** ACN 111 044 154 will change to a public company limited by shares. The new name will be NEWSNET LTD ACN 111 044 154.

**GUNBARREL ENERGY AND MINERALS AUSTRALIA LIMITED** ACN 120 165 139 will change to a proprietary company limited by shares. The new name will be GUNBARREL ENERGY AND MINERALS AUSTRALIA PTY LTD ACN 120 165 139.