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# ASIC Gazette

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# Change of company status



# AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

# IN THE MATTER OF DANH VAN AND PART 7.3 OF THE CORPORATIONS ACT

To: DANH VAN

Unit 3, 66 Marlborough Street FAIRFIELD NSW 2165

# BANNING ORDER PURSUANT TO SECTION 829 OF THE CORPORATIONS ACT

TAKE NOTICE that the Australian Securities and Investments Commission HEREBY PROHIBITS DANH VAN permanently from the date of service of this Banning Order pursuant to section 829 of the Corporations Act from doing an act as a representative of a dealer or an investment adviser.

Dated this 26th day of September 2002.

GAI DI BARTOLOMEO

Delegate of the

Australian Securities and Investments Commission.

<sup>\*</sup>Your attention is drawn to section 835 of the Corporations Act which provides that a person shall not contravene a banning order relating to the person.

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

Pursuant to subsection 655A(1)(a) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("ASIC") hereby exempts the persons specified in Schedule A from compliance with items 10 to 14 of subsection 633(1) of the Act in the case referred to in Schedule B.

#### Schedule A

CFS Managed Property Limited (ABN 13 006 464 428) ("Responsible Entity") and the directors of the Responsible Entity.

#### Schedule B

The takeover bid by Mirvac Funds Limited (ACN 002 561 640), as responsible entity for Mirvac Property Trust (ARSN 086 780 645) ("Bidder") for all the fully paid ordinary units in the Colonial First State Property Trust Group (constituted by four underlying trusts being, Colonial First State Industrial Property Trust (ARSN 092 193 176), Colonial First State Commercial Property Trust (ARSN 092 192 731), Colonial First State Retail Property Trust (ARSN 092 193 658) and Colonial First State Development Trust (ARSN 092 192 320)) ("Target"), being a stapled security comprising a unit in each of the four trusts underlying the Target, and all rights attaching to them ("Takeover Bid"), in respect of which:

- (a) a bidder's statement and supplementary bidder's statements were lodged with ASIC on 11 September 2002 and 23 September 2002 respectively; and
- (b) the Bidder, with ASIC's consent pursuant to section 652B of the Act, withdrew all unaccepted offers under the Takeover Bid on 3 October 2002.

Dated this 9th day of October 2002

Signed:

Kathleen Cuneo, as a delegate of the

Australian Securities and Investments Commission



# CORPORATIONS ACT 2001 SUBSECTION 340(1) ORDER

ASIC 02/1113

Australian Securities & Investments Commission

PURSUANT to subsection 340(1) of the Corporations Act 2001 ("Act"), the AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION ("ASIC") hereby makes an ORDER in respect of

# SUBWAY SYSTEMS AUSTRALIA PTY LTD ACN 009 277 034 ("the Company")

relieving the Company from compliance with the requirements of sub-section 301(1) of the Act in relation to the financial year ended 30 June 2002.

#### **Conditions**

The grant of this Order is subject to the following conditions:

- (i) all of the directors of the Company must have resolved that the Company's financial report for the year ended 30 June 2002 should not be audited;
- (ii) all of the shareholders of the Company must have resolved that the Company's financial report for the year ended 30 June 2002 should not be audited;
- (iii) the Company lodges with ASIC its financial report for the year ended 30 June 2002 in accordance with subsection 319(1) of the Act by the due date under subsection 319(3) of the Act;
- (iv) in the directors' report for the year ended 30 June 2002, the directors state that the financial statements for that financial year have not been audited, in reliance on this exemption, and that the requirements of this exemption have been complied with; and
- (v) the directors of the Company must have caused the year-end financial statements and notes to the financial statements of the Company to be compiled by a Professional Accountant in accordance with the Miscellaneous Professional Statement "APS 9: Statement on Compilation of Financial Reports" ("APS 9"). The financial statements and notes to the financial statements must be accompanied by a compilation report by the Professional Accountant in accordance with APS 9. [A Professional Accountant is a member of either the Australian Society of Certified Practising Accountants, the Institute of Chartered Accountants in Australia or a member of a body that is approved by ASIC for this purpose.]

Dated the 17th day of October 2002

John Murdoch

### Australian Securities and Investments Commission Corporations Act 2001 Subsection 741(1) Exemption

Pursuant to paragraph 741(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 subsections 711(5) and 723(3) and paragraph 724(1)(b) of the Act in the case referred to in Schedule B on the conditions set out in the Schedule C and for so long as they are met.

#### Schedule A

Wallace Absolute Return Limited ACN 100 854 788 ("WAB").

#### Schedule B

The issue of ordinary WAB shares ("Shares") under a prospectus lodged on or about the date of this instrument by WAB pursuant to section 718 of the Act ("Prospectus").

#### Schedule C

- 1. The Shares are issued under the Prospectus.
- 2. No Shares are issued unless:
  - (a) WAB has made an application to Australian Stock Exchange Limited ("ASX") within 7 days after the date of the Prospectus, for Shares first issued under the Prospectus ("First Issue") to be admitted to quotation on ASX; and
  - (b) The Shares referred to in item 2(a) of this instrument are admitted to quotation on ASX within 3 months after the date of the Prospectus.
- 3. Where Shares issued under the Prospectus subsequent to the First Issue ("Further Issued Shares") are not admitted to quotation on ASX within 7 days after their issue, WAB must either:
  - (a) repay the money received from the applicants for Further Issued Shares; or
  - (b) give the applicants referred to in item 3(a) of this instrument 1 month to withdraw their application and be repaid.

Dated: the 17th day of October 2002

Signed by Susanne Date

#### Australian Securities and Investments Commission Corporations Act 2001 — Subsection 655A(1) — Declaration

02/1115

Pursuant to subsection 655A(1) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("ASIC") declares that Chapter 6 of the Act applies to each of the persons named in Schedule A in the case mentioned in Schedule B as if subsection 609(8) were varied or modified by omitting the words "on the same terms".

#### SCHEDULE A

Each member of Cashcard Australia Limited ACN 002 405 754 ("Cashcard") from time to time.

#### SCHEDULE B

The constitution of Cashcard, as adopted by resolutions passed at a meeting of members of Cashcard on 30 September 2002 (for which a notice of meeting and explanatory memorandum was lodged with ASIC on 13 September 2002) which affords members pre-emptive rights on the transfer of fully paid ordinary Cahscard shares ("Shares") on the same terms, except for the following transfers:

- 1. St George is permitted to transfer on or about 23 October 2002:
  - a. 9,090,909 Shares to Gresham Private Equity Limited ACN 084 509 946;
  - b. 700,000 Shares to Greater Building Society Ltd ACN 087 651 956;
  - c. 69,376 Shares to Pioneer Permanent Building Society Limited ACN 087 652 042;
  - d. 637,000 Shares to The Rock Building Society Limited ACN 067 765 717; and
  - e. 600,000 Shares to Wide Bay Capricorn Building Society Ltd ACN 087-652-060.
- Kenneth Robert Gaunt is permitted to transfer, not less than 12 months and one day after Cashcard acquiring all the issued capital of Electronic Banking Solutions Limited ACN 082 465 567:
  - 196,920 Shares to Jayden Investments Pty Ltd in its capacity as trustee of the BA Scott Superannuation Fund;
  - 102,256 Shares to Donald William Scott and Brenton Andrew Scott in their capacities as trustees of the DW Scott Superannuation Fund;
  - 24,615 Shares to Kurtis Adam Scott;
  - 20,512 Shares to Barbara Scott;
  - 8,205 Shares to Ian Scott and Julienne Scott in their capacities as trustees for the Sefuli Pty Limited Superannuation Fund;
  - 1,641 Shares to Todd Smith;
  - 1,641 Shares to Richard Madin;
  - 8,205 Shares to Nicola Carr-White;
  - 4,102 Shares to Colin Scott;
  - 820 Shares to Keith Miller;
  - 20,512 Shares to Castanet Pty Ltd in its capacity as trustee of the McGroarty Superannuation Fund.

under the terms of agreements with each of those parties in effect as at the date of this declaration.

Dated the 21st day of October 2002

Signed by Shirley Wu

# Australian Securities & Investments Commission Corporations Law Section 825

#### **Order Revoking Licence**

TO: Acrospace Systems Ltd, ACN: 066 478 779 ("the Licensee")
C/- Freehills
101 Collins Street
MELBOURNE VIC 3000

Pursuant to paragraph 825(a) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby revokes Licence Number 168612 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 21st day of October 2002.

Signed .....

#### **Australian Securities & Investments Commission** Corporations Act 2001 Section 825 **Order Revoking Licence**

TO:

AML Nominees Limited, ACN: 006 378 329 ("the Licensee")

GPO Box 50

Sydney NSW 2001

Pursuant to paragraph 825(a) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby revokes Licence Number 198139 held by the Licensee with effect from when this order is served on the Licensee.

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

Pursuant to subsection 741(1)(b) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission ("Commission") hereby declares that Chapter 6D of the Act applies to the person specified in Schedule A and any person acting on its behalf in the case specified in Schedule B as if paragraphs 723(3)(b) and 724(1)(b)(ii) were modified or varied by omitting the words "disclosure document" where they appear and substituting the words "supplementary prospectus".

#### Schedule A

Crocodile Corporation Limited ACN 099 944 233 ("Issuer").

#### Schedule B

The Issuer making offers to issue securities in the Issuer pursuant to a prospectus dated 12 July 2002 in circumstances where, within 3 months after the date of the prospectus:

- (a) the securities are not admitted to quotation on a financial market operated by the Australian Stock Exchange Limited;
- (b) no securities under the prospectus have been issued; and
- (c) a supplementary prospectus is lodged with ASIC pursuant to subsection 724(1) of the Act.

Dated this 1st day of October 2002.

Signed:

Milija Cvetinovic as delegate of the

Australian Securities and Investments Commission

#### Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission determines that the disclosing entity specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 27 June 2003.

#### **SCHEDULE**

Ballarat Goldfields N.L. ACN 006 245 441

Dated: 21 October 2002

Signed: OSTORR3

Alphonsus De Roza, as a Delegate of the

Australian Securities and Investments Commission

# **Australian Securities & Investments Commission Corporations Law Section 825**

# **Order Revoking Licence**

TO: Global Portfolios Pty Ltd

ACN: 061 290 604 ("the Licensee")

11th Floor

380 St Kilda Road

**MELBOURNE VIC 3004** 

Pursuant to paragraph 825(a) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby revokes Licence Number 220364 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 22<sup>nd</sup> day of October 2002.

02/1121\_

# **Australian Securities & Investments Commission Corporations Law Section 825**

# **Order Revoking Licence**

TO: DAYTRADERHQ LTD

> ACN: 086 972 429 ("the Licensee") Ground Floor Quadrant Building

1 William St PERTH WA 6000

Pursuant to paragraph 825(a) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby revokes Licence Number 199280 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 22<sup>nd</sup> day of October 2002.

Signed ...

Greg Bradshaw, a delegate of the Australian Securities and Investments

Commission

# Australian Securities & Investments Commission Corporations Law Section 824

### **Order Revoking Licence**

TO: Leslie George Taylor

8A Lubrano St

BRIGHTON EAST VIC 3187 ("the Licensee")

Pursuant to paragraph 824(a) of the Corporations 2001, the Australian Securities and Investments Commission hereby revokes the Licence Number 12972 with effect from when this order is served on the Licensee.

Dated this 22<sup>nd</sup> day of October 2002.

Signed

Greg Bradshaw, a delegate of the Australian Securities and Investments

Commission

### AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION

#### Corporations Act 2001 - Subsection 340(1) Order

Pursuant to subsection 340(1) of the Corporations Act 2001("the Act") the AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION hereby MAKES AN ORDER relieving the companies referred to in Schedule A from subsections 319(3) of the Act in so far as this subsection requires the financial reports for the year ended 30 June 2002 to be lodged within four months after the end of the financial year, ON CONDITION THAT the report is lodged by the date referred to in Schedule B.

The reference to "4 months" in section 319(3) for the year ended 30 June 2002 is replaced with "30 November 2002".

#### **SCHEDULE A**

Balfours Pty. Ltd.	A.C.N. 007 870 233
Balfour Wauchope Pty. Ltd.	A.C.N. 007 870 457
A.C.N. 007 563 126 Pty. Ltd.	A.C.N. 007 563 126
Balfours Retail Pty. Ltd.	A.C.N. 007 660 568

SCHEDULE B
30 November 2002

Dated: 21 October 2002

Signed by Trevor John Shaw

# Australian Securities and Investments Commission Corporations Act 2001 — Subsection 601CK(7) — Revocation and Declaration

Under subsection 601CK(7) of the Corporations Act 2001 (the Act) the Australian Securities and Investments Commission (ASIC) hereby revokes ASIC instrument number [02/1085] dated 20 September 2002.

And under subsection 601CK(7) of the Act ASIC hereby declares that subsections 601CK(1) to (6) of the Act inclusive do not apply in relation to a calendar year commencing on or after 1 January 2002 (Relevant Calendar Year) in respect of each of Eurex Deutschland (ARBN 101 013 361) and Eurex Frankfurt AG (ARBN 100 999 764) (the Companies) in the case where:

- 1. each Company is registered under Division 2 of Part 5B.2 of the Act; and
- 2. neither Company engages in any activities in Australia other than those contemplated by:
  - (a) the Corporations (Exempt Futures Market Eurex Deutschland)
    Declaration 2002 granted by the Minister under subsection 1127(1) of the Act on 8 March 2002;
  - (b) the Corporations (Exempt Stock Market Eurex Deutschland) Declaration 2002 granted by the Minister under subsection 771(1) of the Act on 8 March 2002; and
- 3. neither Company has been a disclosing entity, a borrower in relation to a debenture or a guarantor of such a borrower at any time during the Relevant Calendar Year; and
- 4. Eurex Frankfurt AG is licensed to act as the administrating and operating institution of Eurex Deutschland under German law; and
- 5. Eurex Frankfurt AG was covered in consolidated financial statements of Deutsche Börse AG which:
  - (a) cover the whole of its last financial year; and
  - (b) were lodged with ASIC by Eurex Frankfurt AG.

Dated the 22nd day of October 2002

hendan Byne.

Signed by Brendan Byrne



Australian Securities & Investments Commission

# Australian Securities and Investments Commission Corporations Act 2001 - Subsection 741(1) - Exemption

Pursuant to subsection 741(1) of the *Corporations Act 2001* (Act) the Australian Securities and Investments Commission (ASIC) revokes the instrument numbered 02/1109 issued on 18 October 2002 and hereby exempts the persons specified in Schedule A from compliance with:

- 1. Part 6D.2 of the Act; and
- 2. Sections 726 and 735 (inclusive) and section 737 of the Act.

#### Schedule A

Any person (other than Mayne Group Limited (ACN 004 073 410) (Mayne)) who offers shares in the capital of Loomis Limited (ACN 101 164 390) (Loomis) for sale within the period of 12 months after the date on which the shares were issued, where such shares have been, or will be, issued or received by persons as a consequence of, or in connection with:

- (a) a scheme of arrangement between Mayne and its shareholders in respect of which an explanatory statement is lodged for registration by ASIC on 18 October 2002; or
- (b) an offer for the sale or transfer of shares in Loomis pursuant to a prospectus prepared by Mayne and lodged with ASIC on 18 October 2002.

DATED this 24th day of October 2002.

Signed by James Lee



# ASIC 02/1127

Australian Securities & Investments Commission

# 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) hereby revokes the instrument numbered 02/1108 issued on 18 October 2002 and declares that Chapter 6D of the Act shall apply to the persons specified in Schedule A in the case specified in Schedule B as if Part 6D.1 of the Act were modified or varied by omitting subsection 700(3) and substituting a new subsection as follows:

"700(3) Person offering securities. For the purposes of this Chapter, the person who offers securities is the person who establishes a facility and issues a prospectus to enable holders of its securities to purchase or sell other securities, or for other persons to purchase those other securities, other than in the course of trading on a financial market operated by the Australian Stock Exchange Limited, and references to a person making an offer of securities, a person transferring securities, the body making the offer or a seller are to be read accordingly."

#### Schedule A

- 1. Mayne Group Limited (ACN 004 073 410) (Mayne), its officers and directors.
- 2. Loomis Limited (ACN 101 164 390) (Loomis), its officers and directors.
- 3. Any person who becomes entitled to receive shares in Loomis under a scheme of arrangement between Mayne and its shareholders in respect of which an explanatory statement is lodged for registration by ASIC on 18 October 2002.
- 4. Any person involved in the management or conduct of the facility described in Schedule B.

#### Schedule B

Any offer for the sale or transfer of shares in Loomis pursuant to a sale facility (Facility) which is established in accordance with the terms described in the prospectus prepared by Mayne and lodged with ASIC on 18 October 2002, or any sale or transfer under the Facility, or any offer, sale or transfer under a prospectus prepared by Mayne and lodged with ASIC on 18 October 2002.

DATED this 24th day of October 2002.

Signed by James Lee



ASIC

02/1128

Australian Securities & Investments Commission

# Australian Securities & Investments Commission Corporations Law Section 825

#### **Order Revoking Licence**

TO: Investment Taxation Specialists Ltd, ACN: 095 378 055 ("the Licensee")

C/- KPMG

45 Clarence St

SYDNEY NSW 2000

Pursuant to paragraph 825(b) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby revokes Licence Number 210337 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 24th day of

2002

Signed

Timothy Mullaly, a delegate of the Australian Securities and Investments

Commission



ASIC

02/1129

Australian Securities & Investments Commission

# Australian Securities & Investments Commission Corporations Law Section 825

### **Order Revoking Licence**

TO: Investment Taxation Specialists Ltd, ACN: 095 378 055 ("the Licensee")

C/- Deloitte Touche Tohmatsu Level 2 Grosvenor Place

225 George St

SYDNEY NSW 2000

Pursuant to paragraph 825(b) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby revokes Licence Number 210337 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 24th day of OctoBell 2002

Signed M Wwhy

Timothy Mullaly, a delegate of the Australian Securities and Investments

Commission

# **Australian Securities and Investments Commission Corporations Act 2001 - Subsection 713(6) - Declaration**

Pursuant to subsection 713(6) of the *Corporations Act 2001* (the "Act") the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 2 September 2003.

#### **SCHEDULE**

Federation Group Limited ACN 007 532 827.

Dated this 24th day of October 2002

Signed:

Gadi Bloch, as delegate of the

Australian Securities and Investments Commission

02/1131\_

#### **AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

#### CORPORATIONS ACT — SUBSECTION 741(1) — DECLARATION

Under 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 all persons in relation to an offer made in or accompanied by the disclosure document specified in the Schedule A in the case referred to in Schedule B as if a reference to:

(a) disclosure document in paragraphs 723(1)(a), 728(1)(a) and 728(1)(b) of the Act

includes a reference to a document or copy of a document that differs from the disclosure document, prospectus, profile statement or offer information statement lodged with ASIC to the following extent:

(b) the figures on page 12, in the table titled "Fund returns" in the row titled "1 year" and the columns titled "\*Fund%" and "\*\*Fund%", which should read (6.9)% and (5.5)% respectively, instead of (6.7)% and (5.1)%.

#### **SCHEDULE A**

Prospectus lodged on 23 September 2002 by INVESCO Australia Ltd (ACN 001 693 232) to offer units in the INVESCO Personal Investment Funds.

#### **SCHEDULE B**

All offers made in or accompanied by the disclosure document where:

- (a) no application form has been distributed with the disclosure document or a copy of the disclosure document prior to the date of this instrument; and
- (b) any application form accompanying the disclosure document or a copy of the disclosure document on or after the date of this instrument discloses the difference between the disclosure document and the disclosure document lodged with ASIC.

Dated this 26th day of September 2002.

Signed by Eugene Foo

Corporations Act 2001 Subsection 164(3)

Notice is hereby given that the 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.

**ATLANTIC MINES LTD** ACN 100 346 067 will change to a proprietary company limited by shares. The new name will be ATLANTIC MINES PTY LTD ACN 100 346 067.

**GENESIS PROPERTY CORPORATION LTD.** ACN 090 607 266 will change to a proprietary company limited by shares. The new name will be GENESIS PROPERTY CORPORATION PTY LTD ACN 090 607 266.

INDEPENDENT NEWS & MEDIA (AUSTRALIA) PTY LIMITED ACN 008 637 689 will change to a public company limited by shares. The new name will be INDEPENDENT NEWS & MEDIA (AUSTRALIA) LIMITED ACN 008 637 689.

METYOR SOLUTIONS LIMITED ACN 087 594 901 will change to a proprietary company limited by shares. The new name will be POWYR SOLUTIONS AUSTRALIA PTY LTD ACN 087 594 901.

SAMSON UNDERWRITING COMPANY LIMITED
ACN 095 567 865 will change to a proprietary company limited by shares. The new name will be SAMSON UNDERWRITING COMPANY PTY. LIMITED ACN 095 567 865.

**FUTURE MANAGEMENT GROUP PTY LIMITED** ACN 095 854 738 will change to a public company limited by shares. The new name will be FUTURE MANAGEMENT GROUP LIMITED ACN 095 854 738.

**HORWITZ AUSTRALIA LIMITED** ACN 008 469 921 will change to a proprietary company limited by shares. The new name will be HORWITZ AUSTRALIA PTY LIMITED ACN 008 469 921.

**MAXGARD PTY LTD** ACN 087 023 612 will change to a public company limited by shares. The new name will be SCM FUND 1 LIMITED ACN 087 023 612.

**NEXUS CAPITAL FUND LIMITED** ACN 080 497 936 will change to a proprietary company limited by shares. The new name will be NEXUS CAPITAL FUND PTY LIMITED ACN 080 497 936.

**SZALMUK CAPITAL LIMITED** ACN 075 309 858 will change to a proprietary company limited by shares. The new name will be SZALMUK CAPITAL PTY. LTD. ACN 075 309 858.