



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

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# ASIC Gazette

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#### RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the *Corporations Act 2001* and the other legislation administered by ASIC may have rights of review. ASIC has published Regulatory Guide 57 *Notification of rights of review* (RG57) and Information Sheet *ASIC decisions – your rights* (INFO 9) to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at [www.asic.gov.au](http://www.asic.gov.au) or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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14-2489

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraphs 926A(2)(b), 992B(1)(b) and 1020F(1)(b) —  
Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 926A(2)(b), 992B(1)(b) and 1020F(1)(b) of the *Corporations Act 2001* (the *Act*).

**Exemption**

2. This exemption applies to an interest in a managed investment scheme (*serviced strata scheme*) which involves an owner (*investor*) of real property (*strata unit*), in the investor's discretion, making their strata unit available for use by a person (*operator*) as part of a serviced apartment, hotel, motel or resort complex located at Hastings Cove Apartments SP 64051, 2 Creek Street, Hastings Point in the State of New South Wales, developed in accordance with an approval of a local government organisation that has been given to ASIC and in relation to which, on 1 March 2000, there was no person who had bought or agreed to buy a strata unit and who, before agreeing to buy, had been offered an interest in the scheme.
3. An interest in the serviced strata scheme is exempt from the following provisions of the Act:
  - (a) Part 7.6 (other than Divisions 4 and 8); and
  - (b) section 992AA; and
  - (c) section 1017F.

**Where exemption applies**

4. The exemption in paragraph 3 only applies where all of the following requirements are satisfied:
  - (a) the sale of the strata unit is not and was not conditional on participation in the serviced strata scheme;
  - (b) each investor and the operator may withdraw from participation in the scheme on no more than 90 days notice and an investor that withdraws will not be bound after that notice expires to allow use of their strata unit except for occupation of the strata unit:
    - (i) by a person other than the operator or an associate of the operator; and
    - (ii) under an agreement that the operator made with that person before the notice of withdrawal was given;

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- (c) each investor may, if the investor withdraws from participation in the scheme, appoint another person to manage their strata unit;
- (d) the operator is licensed in relation to the conduct of the letting services under the law of a State or Territory or is a financial services licensee;
- (e) no payment is liable to be made by an investor to participate in the scheme other than:
  - (i) payment of money to buy the strata unit; and
  - (ii) one or more payments of the investor's reasonable proportion of the operator's fees and expenses with respect to the management of the scheme where in any 3 month period the total of such payments relates to a period of no more than 3 months and where:
    - (A) that total is reasonably commensurate with the work done or to be done, or the expenses incurred or likely to be incurred (as the case may be), by the operator during the period to which the payments relate; and
    - (B) where a FFE Fund has been established for the investor — no payment or part thereof is used for the replacement, repair or refurbishment of furniture, fittings and equipment of the strata unit in relation to the period to which the payment relates unless all money in the Fund has first been expended; and
  - (iii) where a FFE Fund has been established for the investor — one or more payments into the Fund where:
    - (A) each payment is by way of a deduction from rental income of the scheme that would otherwise be paid to the investor in relation to a period and does not exceed 3% of the gross rent attributable to the investor for the period; and
    - (B) the balance of the Fund at all times does not exceed \$5,000 for each strata unit made available by the investor for use as part of the scheme;
- (f) there is no obligation on any person to ensure that other owners of strata units agree to participate in the scheme;
- (g) the serviced apartment, hotel, motel or resort complex is operated in accordance with a written agreement entered into or to be entered into between the operator and each investor which agreement includes provisions as specified in paragraph 5;

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- (h) the operator takes reasonable steps to ensure that any part of the scheme property held in cash or on deposit with an Australian ADI or another financial institution is held on trust for the members in a trust account and subject to audit as to whether the moneys have been dealt with in accordance with the terms of the trust by a registered company auditor at least annually;
- (i) where a FFE Fund has been established for an investor, the operator takes reasonable steps to ensure that:
  - (A) the money comprising the Fund is held on trust for the investor in a trust account and subject to audit as to whether the money has been dealt with in accordance with the terms of the trust by a registered company auditor at least annually; and
  - (B) the balance of the Fund is promptly returned to the investor at the termination of the scheme or upon the investor's withdrawal from the scheme, whichever occurs first;
- (j) each person that is involved in making an offer of interests in the scheme for issue does not engage in any misleading or deceptive conduct or conduct that is likely to mislead or deceive in connection with those offers;
- (k) the operator complies with the provisions specified in paragraph 5 which are included in the agreement referred to in subparagraph (g).

**Terms of agreement between investor and operator**

- 5. The agreement specified in subparagraph 4(g) is to contain provisions to the following effect:
  - (a) *Transfer of management rights*
    - (i) If a majority of scheme members advise the operator in writing that they wish to terminate the operator's engagement, the operator must within 9 months transfer the management rights to a person that is chosen by the operator that has not been involved in the operation (including promotion) of the scheme and is not controlled by a person that has been involved in the operation (including promotion) of the scheme; and
    - (ii) If an operator fails to complete that transfer within the 9 month period, the operator must cause the transfer of the management rights to a replacement operator named in a written notice given by a majority of scheme members, at a price specified in the notice; and

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- (iii) A transfer referred to in subparagraph (i) or (ii) must be done as soon as practicable, but if there is a body corporate for the real property to which the scheme relates, there must be a reasonable time for members of the body corporate to consider whether to make a decision referred to in subparagraph (b)(ii) unless the body corporate has consented to the transfer; and
- (b) *Consent of body corporate to new care-taking arrangements*
- (i) If an operator receives a notice under subparagraph (a)(i), the operator must advise all body corporate members of the name of the person to whom the transfer is to be made; and
  - (ii) Unless the body corporate has consented to the transfer, an operator does not have to transfer the management rights to the person named in the notice described in subparagraph (a)(ii) if a majority of body corporate members state in writing to the operator that the person should not be engaged by the body corporate to perform care-taking functions; and
  - (iii) If a majority of body corporate members make a decision referred to in subparagraph (b)(ii), a majority of scheme members may then at any time name a replacement operator by a written notice, to whom the operator must transfer the management rights at a price specified in the notice and the notice will be taken to be given in accordance with subparagraph (a)(ii); and
  - (iv) This subparagraph does not apply if the body corporate or a majority of body corporate members agree in writing to the transfer to the person named in a notice under subparagraph (a)(ii) or (b)(iii) before that notice is given to the operator; and
- (c) *Price payable on transfer*
- The price scheme members specify in a notice under subparagraph (a)(ii) must be one of the following:
- (i) the average of two valuations of the management rights by independent qualified valuers nominated by the Australian Property Institute (or another relevant independent professional body approved by ASIC); or
  - (ii) the highest bona fide bid for the management rights (excluding a bid by the operator or its associates) at an auction of which at least 60 days' notice had been given; or
  - (iii) the highest bona fide amount tendered (excluding any tender by the operator or its associates) for the management rights
-

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following reasonable efforts to market the property for at least 60 days; and

(d) *Voting*

- (i) In determining if there is a majority of scheme members or body corporate members, the operator and its associates and any person nominated as a replacement operator and associates of that person must not be counted; and
- (ii) For scheme members, a majority is based on their entitlement to vote at body corporate meetings if there is a body corporate for the property to which the scheme relates, and otherwise each member shall have one vote; and
- (iii) For body corporate members, a majority is based on their entitlement to vote at body corporate meetings; and
- (iv) A scheme member or a body corporate member makes a decision by signing a document that sets out the decision; and

(e) *Costs*

- (i) Any member may arrange a valuation or auction of, or may market, the management rights before or after the expiration of the 9 month period referred to in subparagraph (a)(i) for the purposes of determining a price to be specified in a notice under subparagraph (a)(ii); and
- (ii) If a member incurs any reasonable valuation, auction or marketing costs under subparagraph (i) that member is entitled to be reimbursed out of the price payable by any person nominated by the members as transferee of the management rights when the price is paid to the operator; and

(f) *Assistance*

The operator must give reasonable assistance to enable the transferee to operate the resort, hotel, motel or serviced apartment complex including making available information concerning any prospective bookings; and

(g) *Definitions*

In this paragraph:

***scheme members*** means investors in the scheme excluding the operator and its associates.

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*management rights* means all real or personal property (including contractual rights) held by the operator or any of its associates that facilitates the operation of the scheme.

*transfer* in relation to management rights means to assign or transfer the management rights or to cause another person to become the holder of those rights or rights substantially the same as those rights.

### Interpretation

6. In this instrument:

*FFE Fund* means a fund established for an investor consisting of money paid by the investor and any interest accrued on that money, to be used from time to time in accordance with the written agreement referred to in subparagraph 4(g) for the replacement, repair or refurbishment of furniture, fittings and equipment of the strata unit made available by the investor for use as part of the scheme.

*offer* is to be interpreted in accordance with subsection 1010C(2) of the Act.

Dated this 11<sup>th</sup> day of December 2014



Signed by Anne Phelan  
as a delegate of the Australian Securities and Investments Commission

14-1213

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

**Enabling provision**

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

**Title**

2. This instrument is ASIC Instrument 14-1213.

**Commencement**

3. This instrument commences on 25 November 2014.

**Exemption**

4. Rhye Limited ACN 112 452 436 (*issuer*) does not have to comply with Part 6D.2 or 6D.3 of the Act (other than sections 736 and 738) for an offer of shares for issue, to be made during the period between 15 December 2014 and 16 January 2015, under a purchase plan.

**Declaration**

5. Chapter 6D of the Act applies to an offer for sale of ordinary shares in the issuer as if paragraph 708A(5)(b) of the Act were modified by deleting the words "5 days" and substituting the words "18 days".

**Where this instrument applies**

6. The exemption in paragraph 4 applies where the issuer:
  - (a) meets the requirements and conditions of ASIC Class Order [CO 09/425] (*class order*) except for sub-subparagraph 7(a)(ii); and
  - (b) would meet the requirement in sub-subparagraph 7(a)(ii) of the class order if that sub-subparagraph were to read:

“(ii) is not suspended from trading and was not suspended from trading on that market for more than a total of 18 trading days during the shorter of the period during which the class was quoted, and the period of 12 months before the day on which the offer is made;”.
7. The modification in paragraph 5 applies to an offer for sale of ordinary shares in the Company where:
  - (a) the ordinary shares were issued on or around 4 December 2014:

14-1213

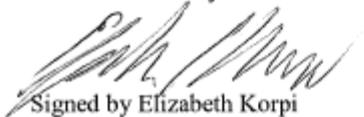
- (i) to sophisticated and professional investors under an offer which did not require disclosure under Part 6D.2 of the Act because of subsection 708(8) or subsection 708(11) of the Act; or
  - (ii) under an offer made through a financial services licensee which did not require disclosure under Part 6D.2 of the Act because of subsection 708(10) of the Act; and
- (b) the Company has given ASX Limited ACN 008 624 691 a notice under paragraph 708A(5)(e) of the Act which complies with subsection 708A(6) of the Act.

**Interpretation**

8. In this instrument:

*purchase plan* has the same meaning as in ASIC Class Order [CO 09/425].

Dated this 25<sup>th</sup> day of November 2014



Signed by Elizabeth Korpi  
as a delegate for the Australian Securities and Investments Commission

14-1219

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-1219.

**Commencement**

3. This instrument commences on 16 December 2014.

**Exemption**

4. A fully paid ordinary share (*Share*) in oOh!media is exempt from subsection 1020B(2) of the Act.

**Where exemption applies**

5. The exemption applies to a sale of Shares where all of the following are satisfied:
  - (a) ASX has declared a conditional market in relation to the trading of the Shares in accordance with the ASX operating rules;
  - (b) the Shares are sold within the period covered by the declaration where:
    - (i) the sale occurs on a financial market operated by ASX or Chi-X; or
    - (ii) the sale is required to be reported to an operator of a financial market under the *ASIC Market Integrity Rules (Competition in Exchange Markets) 2011*;
  - (c) the seller of those Shares has, before the time of sale, entered into a contract to buy those Shares (including a contract formed under the Prospectus) and has a right to have those Shares vested in the seller that is conditional only upon all or any of the following:
    - (i) payment of the consideration in respect of the subscription or purchase;

## 14-1219

- (ii) the receipt by the seller of a proper instrument of transfer in respect of the Shares;
- (iii) the transfer to SaleCo of some or all Existing Shares held by Selling Shareholders;
- (iv) the issue of New Shares by oOh!media to successful applicants under the Prospectus;
- (v) the transfer of Existing Shares by SaleCo to successful applicants under the Prospectus;
- (vi) settlement occurring in accordance with clause 5 of the Underwriting Agreement.

**Interpretation**

## 6. In this instrument:

*ASX* means ASX Limited ACN 008 624 691.

*ASX operating rules* means the operating rules of ASX as in force as at the date of this instrument.

*Chi-X* means Chi-X Australia Pty Limited ACN 129 584 667.

*oOh!media* means oOh!media Limited ACN 602 195 380.

*Existing Shares* means Shares held by shareholders of oOh!media as at 28 November 2014.

*New Shares* means the Shares to be issued by oOh!media under the Prospectus.

*Prospectus* means the prospectus of oOh!media and SaleCo dated 28 November 2014 (and includes the replacement prospectus of oOh!media and SaleCo dated 5 December 2014).

*SaleCo* means oOh!media SaleCo Pty Limited ACN 602 196 387.

*sell* has a meaning affected by subsection 1020B(7) of the Act.

*Selling Shareholder* means those shareholders of oOh!media who are specified in the Prospectus as having agreed to sell some or all of their Existing Shares to SaleCo prior to oOh!media being listed on the financial market operated by ASX.

14-1219

*Underwriting Agreement* means the agreement dated 28 November 2014 (as amended on 5 December 2014) between oOh!media, SaleCo and other persons acting as joint lead managers for the offer of Shares made under the Prospectus.

Dated this 16<sup>th</sup> day of December 2014



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



ASIC

Australian Securities &amp; Investments Commission

14-1259

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

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

TO: Think Financial Group Pty Ltd  
ACN 112 608 830 ("the Licensee")  
50 Chardonay Dr  
The Vines  
Perth WA 6000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 306553 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 15 December 2014

Signed .....

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

James Nott  
A delegate of the Australian Securities and Investments Commission

14-1277

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-1277.

**Commencement**

3. This instrument commences on 12 December 2014.

**Declaration**

4. Chapter 6D of the Act applies to shareholders of Doray Minerals Limited ACN 138 978 631 (*Doray*) 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."

**Where this instrument applies**

5. This instrument applies to an offer (*Offer*) for the sale of shares in Doray where:
  - (a) the shares are issued by Doray to holders of Doray Non-Bid Options, upon the exercise of Doray Non-Bid Options;
  - (b) the Doray Non-Bid Options are issued to holders of Doray Non-Bid Options without disclosure under Part 6D.2 of the Act because subsection 708(8) or 708(11) applied;

14-1277

- (c) the Offer occurs within 12 months of the issue of the shares; and
- (d) Doray lodged a bidder's statement with ASIC on 17 November 2014.

**Interpretation**

6. In this instrument:

*Doray Non-Bid Options* means options to acquire shares in Doray, issued to holders of unlisted options in Mutiny Gold Ltd ACN 101 224 999 (*Mutiny*) in exchange for their unlisted options in Mutiny, without disclosure to investors under Part 6D.2 of the Act because subsection 708(8) or 708(11) applied.

Dated this 12<sup>th</sup> day of December 2014



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



14-1278

**ASIC**

Australian Securities &amp; Investments Commission

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

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

**TO:** Stutt Partners Investment Management Pty Ltd  
ACN 097 791 109 ("the Licensee")  
15A Highfield Grove  
KEW VIC 3101

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 241133 held by the AFS Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 12 December 2014.

Signed .....

A handwritten signature in cursive script, appearing to read 'James Nott', written over a dotted line.

James Nott, a delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities &amp; Investments Commission

**14-1280****Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: Australian Investment Funders Limited  
ACN 114 660 043 ("the Licensee")  
Last notified principal place of business:  
Level 15, Corporate Centre One  
2 Corporate Court  
BUNDALL QLD 4217

Pursuant to paragraph 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 300087 held by the Licensee, with effect from the date of this notice.

Dated 16 December 2014

Signed .....

John Connor  
A delegate of the Australian Securities and Investments Commission

14-1282

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 926A(2)(c) — Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument [14-1282].

**Commencement**

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

**Declaration**

4. Part 7.6 (other than Divisions 4 and 8) of the Act applies in relation to the following persons (each a *relevant provider*) that have been authorised to provide financial services on behalf of Heritage Bank Limited ACN 087 652 024 (*Heritage*) as if provisions of that Part were modified or varied as set out in paragraph 5:

- (a) Optus Mobile Pty Limited ACN 054 365 696 (*Optus*);
- (b) Optus Administration Pty Limited ACN 055 136 804 (*Optus Administration*);
- (c) Optus Retailco Pty Limited ACN 092 221 406 (*Optus Retailco*);
- (d) Virgin Mobile (Australia) Pty Limited ACN 092 726 442 (*Virgin Mobile*); and
- (e) A person who has entered into a license, franchise or agency agreement with a principal distributor for purposes that include selling mobile phones, mobile phone plans or mobile phone services on behalf of that principal distributor.

Note: A relevant provider may be authorised to provide financial services on behalf of Heritage by the principal distributor with which they have entered into a licence, franchise or agency agreement.

5. For the purposes of paragraph 4, Part 7.6 (other than Divisions 4 and 8) of the Act applies as if provisions in that Part were modified as follows:
  - (a) in section 910A of the Act, before the definition of representative, insert:

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

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

- (a) a person (**principal distributor**) who the licensee has authorised in writing to provide financial services on behalf of the licensee in relation to a non-cash payment facility; and
- (b) a person who the principal distributor has, with the written consent of the licensee, authorised in writing to provide those financial services.

Note: The licensee may give consent under paragraph (b) in respect of either a specified person or a class of persons.”; and

- (b) In the definition of representative, insert after subparagraph (a)(iii):  
“(iii) a non-cash payment facility distributor of the licensee; or”; and
- (c) After paragraph 911B(1)(a), insert:  
“(ac) these conditions are satisfied:
  - (i) the principal holds an Australian financial services licence covering the provision of the service; and
  - (ii) the service is dealing in, or the provision of general advice in relation to, a non-cash payment facility; and
  - (iii) the provider is:
    - (A) a non-cash payment facility distributor of the principal; or
    - (B) an employee, director, or officer of a non-cash payment facility distributor of the principal;”.

**Where declaration applies**

- 6. The declarations in paragraph 5 apply where each of the following is satisfied:
  - (a) the relevant provider, or an employee, director or officer of the relevant provider provides financial services in relation to a non-cash payment facility (the **Facility**) issued by Heritage that includes the branding of Optus or Virgin Mobile by arranging for the issue of the Facility or, in the case of a principal distributor, providing general advice in relation to the Facility;
  - (b) Heritage and the relevant provider have taken all reasonable steps to ensure that the relevant provider’s conduct in relation to the Facility does not involve the provision of financial services other than any financial

services mentioned in sub-paragraph (a) that arise from the following conduct:

- (i) displaying or providing material relating to the Facility, including marketing material, envelopes and information packs containing marketing, disclosure and other documents (including the Product Disclosure Statements) for the Facility and user guides for the Facility;
  - (ii) scanning any barcodes on the material mentioned above;
  - (iii) distributing a subscriber information module card to a person (*customer*) which is required in relation to the use of the Facility;
  - (iv) receiving an application fee from a customer for the Facility;
  - (v) conducting an identity check of the customer;
  - (vi) receiving payment of money from the customer that is to be loaded onto the Facility;
  - (vii) giving the customer a receipt that contains information necessary for the customer to complete the application process for the Facility or otherwise providing the customer with instructions to be completed before the Facility is first used;
  - (viii) if the relevant provider is a principal distributor, promoting the Facility;
  - (ix) providing factual information about the Facility;
- (c) Heritage has a written agreement with each principal distributor, under which Heritage:
- (i) authorises the principal distributor to provide the financial services on behalf of Heritage and permits the principal distributor to authorise relevant providers to provide the financial services on behalf of Heritage;
  - (ii) permits employees, directors, or officers of relevant providers to provide the financial services on behalf of Heritage; and
  - (iii) accepts responsibility for the conduct of the principal distributor and the relevant providers authorised by that principal distributor to the extent described in Division 6 of Part 7.6 of the Act; and
  - (iv) has a dispute resolution system that:
    - (A) complies with subsection 912A(2) of the Act; and

- (B) covers complaints made by retail clients relating to the conduct of the principal distributor and the relevant providers authorised by that principal distributor;
- (d) the relevant provider has been authorised by, or in accordance with, the agreement referred to in subparagraph (c) (and that authorisation has not been revoked);
- (e) the relevant provider is not an authorised representative of Heritage;
- Note: Authorisation by, or in accordance with, an agreement referred to in subparagraph (c) need not constitute an appointment as an authorised representative of Heritage.
- (f) before providing a financial service to another person as a retail client, the relevant provider specifically draws the person's attention to the availability of dispute resolution systems of Heritage that cover complaints about the non-cash payment facility and the relevant provider's conduct, and information about how that dispute resolution system can be accessed.

#### Interpretation

7. In this instrument:

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

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

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

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

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

*principal distributor* means each of Optus and Virgin Mobile.

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

Dated this 15<sup>th</sup> day of December 2014



Signed by Richard McMahon  
as a delegate of the Australian Securities and Investments Commission

14-1291

## NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 12 December 2014.

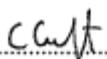
## AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

VARIATION OF NOTICE OF SUSPENSION OF  
AUSTRALIAN FINANCIAL SERVICES LICENCE

To: Integer Securities Limited ACN 078 098 245

Under s915C of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby varies ASIC Instrument 14-0378 as varied by ASIC Instruments 14-0741 and 14-0950 by replacing the date "17 December 2014" in each of the first paragraph and Schedule A with the date "17 April 2015".

Dated this 10<sup>th</sup> day of December 2014

Signed:..........

Christine Croft, a delegate of the Australian Securities and Investments Commission

14-1294

## NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 15 December 2014.

**Australian Securities and Investments Commission  
Corporations Act 2001 section 915C**

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

To: Protect Ensure Pty Ltd ACN 119 300 293

TAKE NOTICE that under section 915C(1) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 344534 held by Protect Ensure Pty Ltd ACN 119 300 293.

Dated this 15<sup>th</sup> day of December 2014

Signed:..........

Christine Croft, a delegate of the Australian Securities and Investments Commission

14-1296

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-1296.

**Commencement**

3. This instrument commences on 17 December 2014.

**Declaration**

4. Chapter 6D of the Act applies to Aeeris Ltd ACN 166 705 595 (the *issuer*) as if Part 6D.2 were modified or varied as follows:
  - (a) omit paragraph 723(3)(b), substitute:

“(b) the securities are not admitted to quotation within 3 months after the later of:

    - (i) the date of the disclosure document; and
    - (ii) the date of the latest supplementary disclosure document for the offer lodged with ASIC which:
      - (A) discloses that the securities are not admitted to quotation; and
      - (B) gives applicants 1 month to withdraw their application and be repaid”;
  - (b) in paragraph 724(1)(a), omit the words “and that condition is not satisfied within 4 months after the date of the disclosure document”, substitute:

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

    - (iii) the date of the disclosure document; and
    - (iv) the date of the latest supplementary disclosure document for the offer lodged with ASIC which:
      - (A) discloses that the condition has not been satisfied; and
      - (B) gives applicants 1 month to withdraw their application and be repaid”;
  - (c) omit subparagraph 724(1)(b)(ii), substitute:

“(ii) the securities are not admitted to quotation within 3 months after the later of:

    - (A) the date of the disclosure document; and
    - (B) the date of the latest supplementary disclosure document for the offer lodged with ASIC that discloses that the securities are not

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

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

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

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

**Where this instrument applies**

5. This instrument applies in relation to an offer or issue of securities of the issuer under a disclosure document lodged with ASIC on 15 October 2014 as replaced by the replacement document lodged with ASIC on 14 November 2014 where the issuer has lodged a supplementary disclosure document on or after the date of this instrument which describes the need for, and effect of, the relief provided in this instrument.

Dated this 17<sup>th</sup> day of December 2014



Signed by Melissa Liu  
as a delegate of the Australian Securities and Investments Commission

14-1299

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 14-1299.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to Retail Responsible Entity Limited ACN 145 213 663 (the *responsible entity*) in its capacity as responsible entity of the:
  - a) Retail Direct Property 5 ARSN 107 434 613;
  - b) Retail Direct Property 14 ARSN 095 502 622;
  - c) Retail Direct Property 14 Unit Trust ARSN 095 502 739;
  - d) Retail Direct Property 18 ARSN 097 912 411; and
  - e) Retail Direct Property 18 Unit Trust ARSN 097 912 546 (collectively, the *scheme*)

as if section 601FL were modified or varied by:

- (a) omitting all the text after the word "it" of subsection 601FL(1) and substituting:

"must either:

- (a) call a members' meeting to explain its reason for wanting to retire and to enable the members to vote on a resolution (which must be an extraordinary resolution if the scheme is not listed) to choose a company to be the new responsible entity; or

- (b) propose a company (*proposed responsible entity*) to be the new responsible entity in accordance with subsection (1A)."; and

- (b) after subsection 601FL(1) inserting:

"(1A) The responsible entity can retire and the proposed responsible entity can become the new responsible entity if all of the following requirements are met:

14-1299

- (a) the proposed responsible entity must provide its consent in writing to become the scheme's responsible entity;
  - (b) the responsible entity must provide each member with:
    - (i) notice of a proposal to choose the proposed responsible entity to be the scheme's new responsible entity;
    - (ii) sufficient information to explain its reason for wanting to retire and to enable each member to decide whether to consent to the appointment of the proposed responsible entity as the new responsible entity;
  - (c) all members must consent in writing to the retirement of the responsible entity and choose the proposed responsible entity to be the new responsible entity;
  - (d) as soon as practicable and in any event within 2 business days after the last member has given its written consent, the responsible entity must lodge a notice with ASIC asking it to alter the record of the scheme's registration to name the proposed responsible entity as the scheme's responsible entity; and
  - (e) ASIC must comply with the notice when it is lodged.
- (1B) The responsible entity must arrange for a vote within a reasonable time under subsection (1)(a) on the choice of the proposed responsible entity, unless all members give their prior consent in writing to choose the proposed responsible entity without a meeting being held under subsection (1)(a)."

**Where this declaration applies**

5. Federation Manager Limited ACN 051 908 984 has agreed in writing to become the new responsible entity of the Scheme.

Dated this 19<sup>th</sup> day of December 2014.



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

CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this nineteenth day of December 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

CERESE PROPERTY INVESTMENTS LIMITED

079 773 970

GAYNOR MINDEN, INC

111 965 596

HSBC ALTERNATIVE INVESTMENTS LIMITED

125 809 903

JX NIPPON OIL & GAS EXPLORATION CORPORATION

136 993 729

TOWERS WATSON PENNSYLVANIA INC.

002 551 019

CORPORATIONS ACT 2001

Section 601CL(4)

ASIC will strike the foreign companies listed below off the register three months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this nineteenth day of December 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

AQUALOGY ENVIRONMENT LIMITED	165 234 337
CITY INDEX LIMITED	141 043 183
D.L. RICCI AUSTRALIA HOLDING, LLC	108 124 394
DAHM	147 223 961
DAWN FOODS INTERNATIONAL, INC.	113 521 903
EXECTALK LIMITED	166 127 555
MECM, LIMITED	166 721 464
PALL CORPORATION	062 908 409

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CORPORATIONS ACT 2001

Subsection 601PB(2)

ASIC may deregister the managed investment schemes listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this nineteenth day of December 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

**ARSN**

BLACKROCK INDEXED EUROPE EX-UK EQUITY FUND

088 496 673

BLACKROCK INDEXED UK EQUITY FUND

088 496 208

NEW ENTERPRISE PROPERTY SYNDICATE

107 008 739

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Corporations Act 2001  
Subsection 164(3)

Notice is hereby given that ASIC will alter the registration details of the following companies 1 month after the publication of this notice, unless an order by a court or Administrative Appeals Tribunal prevents it from doing so.

**OPTALERT LIMITED** ACN 100 362 883 will change to a proprietary company limited by shares. The new name will be **OPTALERT HOLDINGS PTY LIMITED** ACN 100 362 883.