



**ASIC**

Australian Securities &  
Investments Commission

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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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15-1117

**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 15-1117.

**Commencement**

3. This instrument commences on 25 November 2015.

**Declaration**

5. Chapter 6D of the Act applies in relation to Metro Glass as if the following provisions were modified or varied:

- (a) in section 708A:

- (i) in paragraph (1)(a) omit “(12) or (12A),” substitute “(12), (12A) or (13),”;

Note: ASIC Class Order [CO 08/35] notionally inserted section 708A(12A) of the Act.

- (ii) in paragraph (1A)(a) omit “(5),” and substitute “(5) or (13),”;

- (iii) after subsection (12A) insert:

*“Sale offers of quoted securities: NZ foreign exempt listed body—case 5*

- (13) The sale offer of securities in a New Zealand foreign exempt listed body does not need disclosure to investors under this Part if:

- (a) the relevant securities are in a class of securities that were quoted securities at all times in the following period:

- (i) if this section applies because of subsection (1)—  
3 months before the day on which the relevant securities were issued; or

- (ii) if this section applies because of subsection (1A)—  
3 months before the day on which the relevant securities were sold by the controller; and

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(b) either:

- (i) if this section applies because of subsection (1)—the body gives the relevant market operators for the body a notice that the body reasonably believes complies with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand before the sale offer is made; or
- (ii) if this section applies because of subsection (1A)—both the body, and the controller, gives the relevant market operators for the body a notice that the body and the controller reasonably believe complies with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand before the sale offer is made.

In this subsection:

***New Zealand foreign exempt listed body*** means a body that is:

- (a) listed on the financial market operated by NZX Limited; and
- (b) listed on the financial market operated by ASX Limited as an exempt foreign listing.

***relevant market operators*** means both ASX Limited and NZX Limited.”; and

(b) omit subsections 708AA(7) to (9), substitute:

- “(7) For a New Zealand foreign exempt listed body, a notice complies with this subsection if the body reasonably believes the notice complies with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand.

In this subsection:

***New Zealand foreign exempt listed body*** means a body that is:

- (a) listed on the financial market operated by NZX Limited; and
- (b) listed on the financial market operated by ASX Limited as an exempt foreign listing.”.

**Interpretation**

7. In this instrument:

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*Metro Glass* means Metro Performance Glass Limited (Company Number 5267882), a body incorporated under the Companies Act 1993 of New Zealand.

Dated this 25<sup>th</sup> day of November 2015



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

15-1124

**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 15-1124.

**Commencement**

3. This instrument commences on 25 November 2015.

**Declaration**

4. Chapter 6D of the Act applies to Ding Sheng Xin Finance Co. Limited ACN 603 612 479 (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

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- (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 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 prospectus lodged with ASIC on 28 August 2015 and a supplementary prospectus dated lodged with ASIC on 10 November 2015 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 25<sup>th</sup> day of November 2015



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

15-1128

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 15-1128.

**Commencement**

3. This instrument commences on 25 November 2015.

**Declaration**

4. Division 5A of Part 7.9 of the Act applies in relation to Ichor Coal N.V. (*the Company*), a company incorporated in the Netherlands, as if the following provisions were modified or varied as follows:

- (a) in section 1019C, insert (in alphabetical order):

*“depository interests*, in relation to underlying financial products of a foreign company held by CDN in accordance with the operating rules of ASX Settlement Pty Limited, means units of beneficial ownership in the financial products that are issued for the purpose of enabling interests in the financial products to be recorded and transferred in accordance with the operating rules.

*CDN* means CHESS Depository Nominees Pty Limited.

*defeating condition*, in relation to an offer to which this Division applies, means a condition that:

- (a) will, in circumstances referred to in the condition, result in the rescission of, or entitle the offeror to rescind, an offer contract; or
  - (b) prevents the binding offer contract from resulting from an acceptance of the offer unless or until the condition is fulfilled.

*relevant interest*, in relation to financial products the subject of an offer to which this Division applies, has the meaning given in sections 608 and 609, as if:

- (a) the financial products the subject of the offer are securities;
  - (b) the issuer of the financial products is a body to which Chapter 6 applies.

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***underlying financial products***, in relation to depositary interests, means shares of a foreign company which are admitted to quotation on the financial market operated by ASX Limited.

***voting power***, in relation to a person's voting power in the issuer of a financial product the subject of an offer to which this Division applies, has the meaning given in section 610 of the Act, as if:

- (a) the financial products the subject of the offer are voting shares;
  - (b) the issuer of the financial products is a designated body.”;
- (b) after section 1019C, insert:

**“1019CA Interpretation**

(1) In this Division, subject to subsection (2), references to a date or day means a date or day in the jurisdiction in which acceptances are to be received under an offer and, to the extent that there is more than one jurisdiction, the jurisdiction of receipt nominated by the offeror.

(2) In this Division, for the purposes of the period referred to in section 1019HC, the period which would otherwise apply in accordance with subsection (1) is taken to include the period that would apply as if references to a date or day means a date or day in this jurisdiction (but only from 9am Australian Eastern Standard Time on the date or day in this jurisdiction).”;

- (c) omit section 1019H, substitute:

“(1) An offeror may only vary the terms of an offer to which this Division applies:

- (a) in accordance with sections 1019HA, 1019HB, 1019HC or 1019HF; or
- (b) so that the terms of the offer are consistent with the requirements in section 1019HC, 1019HE or 1019HH.

(2) If the offeror varies the offer in accordance with sections 1019HA, 1019HB, 1019HC or 1019HF, the offeror must vary all unaccepted offers under the offer in the same way.

(3) A purported variation of the terms of the offer, other than in accordance with subsections (1) and (2), is ineffective.

- (4) This section does not:

- (a) affect the offeror's obligation under section 1019J to update the market value of the financial product to which the offer relates;



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- (b) prevent the offeror from withdrawing the offer in accordance with section 1019G or paragraph 1019J(2)(a) and making another offer on different terms; or
- (c) prevent the offeree from making a counter-offer on different terms.”;
- (d) after section 1019H, insert:

**“1019HA Improving consideration offered**

(1) The offeror may vary the offers under an offer to which this Division applies to improve the consideration offered:

- (a) by increasing a cash sum offered; or
  - (b) by increasing the number of securities offered; or
  - (c) by increasing the rate of interest payable under debentures offered; or
  - (d) by increasing the amount or value of debentures offered; or
  - (e) by increasing the number of unissued securities that may be acquired under options offered; or
  - (f) by offering a cash sum in addition to securities; or
  - (g) if the securities being acquired include shares to which rights to accrued dividends are attached – by giving the holders the right to:
    - (i) retain the whole or a part of the dividend; or
    - (ii) be paid an amount equal to the amount of the dividend;
- in addition to the consideration already offered; or
- (h) by offering an additional or alternative form of consideration.

(2) Improving the consideration has the effects set out in the following table on the rights of a person who has already accepted an offer to which this Division applies when the variation is made.

<b>Effect of improving consideration</b>		<b>[operative]</b>
<b>Improvement</b>		<b>Effect on person who has already accepted offer</b>
1	improvement of the only form of consideration being offered	entitled to the improved consideration
2	2 or more forms of consideration offered and all forms improved by the same factor or percentage	entitled to the improvement in the form of consideration accepted

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<b>Effect of improving consideration</b> [operative]	
<b>Improvement</b>	<b>Effect on person who has already accepted offer</b>
3 2 or more forms of consideration offered and improvement in the consideration is identical for all forms	entitled to the improvement in the form of consideration accepted
4 addition of a new form of consideration	entitled to make a fresh election as to the form of consideration to be taken
5 any other improvement	entitled to make a fresh election as to the form of consideration to be taken

(3) The person is entitled to receive the improved consideration immediately, subject to the following paragraphs:

- (a) if the time for payment of the consideration has not yet occurred, the person is not entitled to receive the improved consideration until that time;
- (b) if the person has to make an election before being entitled to the improved consideration, the person is not entitled to receive the improved consideration until the later of:
  - (i) the time when the election is made; and
  - (ii) the time applicable under paragraph (a).

(4) If a person who has already accepted an offer has the right to make a fresh election as to the form of consideration to be taken, the offeror must send the person as soon as practicable after the variation a written notice informing them about their right to make the election.

Note: Paragraphs 1019E(1)(a) and (b) provide for the manner in which documents may be sent to holders.

(5) An offence based on subsection (4) is an offence of strict liability.

(6) An election under this section to take a new form of consideration must be made:

- (a) by written notice to the offeror; and
- (b) within 1 month after the person receives the notice from the offeror of their right to make the election.

(7) The person becomes entitled to the new form of consideration if they:

- (a) make the election; and

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(b) return to the offeror:

- (i) any consideration they have already received; and
- (ii) any necessary transfer documents.

(8) If, under subsection (7), a person returns to the offeror any consideration received and any necessary transfer documents in relation to securities offered and issued by the offeror under an offer, the offeror must cancel those securities as soon as possible.

(9) Any reduction in the share capital of the offeror resulting from the application of subsections (7) and (8) is authorised by this subsection.

#### **1019HB Extension of offer period**

(1) An offeror making an offer to which this Division applies may extend the offer period at any time before the end of the offer period.

(2) If an offer is subject to a defeating condition, the offeror may extend the offer period after the offeror has given the notice under subsection 1019HG(1) only if one of the following happens after the offeror has given the notice:

(a) another person announces an offer, or an intention to make an offer, to purchase all financial products in the same class as the financial products the subject of the first offer or all depositary interests relating to financial products in the same class of financial products the subject of the first offer;

(b) another person announces an offer, or an intention to make an offer, to purchase financial products in the same class as the financial products the subject of the first offer or depositary interests relating to financial products in the same class of financial products the subject of the first offer which, were all those offers to be accepted, would result in that person's or another person's voting power in the issuer of the financial products increasing:

(i) from 20% or below to more than 20%;

(ii) from a starting point that is above 20% and below 90% and that is more than 3% greater than the person's voting power at the time of the announcement;

(c) another person makes offers referred to in subsections (a) or (b);

(d) the consideration for offers referred to in subsections (a) or (b) is improved.

Note: Subsection 1019G says how long the total offer period can be.

#### **1019HC Automatic extension of offer period**

(1) If, within the last 7 days of the offer period:

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- (a) the offers are varied to improve the consideration offered; or
- (b) the offeror's voting power in the issuer of the financial products the subject of the offer increases to more than 50%;

the offer period is extended so that it ends 14 days after the event referred to in paragraph (a) or (b) at the time of day the offer period would have ended if it has not been extended under this subsection. The offeror must give the issuer of the financial products the subject of the offer and every person who has not accepted an offer written notice that the extension has occurred within 3 days after that event.

- (2) An offence based on subsection (1) is an offence of strict liability.

#### **1019HD Method of making variation**

- (1) To vary the terms of an offer to which this Division applies in accordance with sections 1019HA or 1019HB the offeror must:

- (a) prepare a notice that:
  - (i) sets out the terms of the proposed variation; and
  - (ii) if the offer is subject to a defeating condition and the proposed variation postpones for more than 1 month the time by which the offeror must satisfy their obligations under the offer--informs people about the right to withdraw acceptances under section 1019HE; and
- (b) give the notice to:
  - (i) the issuer of the financial products the subject of the offer; and
  - (ii) everyone to whom offers were made under the offer.

- (2) A person must be sent a copy of the notice under subparagraph (1)(b)(ii) even if they have already accepted the offer. However, they need not be sent a copy if:

- (a) the variation merely extends the offer period; and
- (b) the offer is not subject to a defeating condition at the time the notice is given to the issuer of the financial products the subject of the offer .

- (3) A notice under subsection (1) must be signed by:

- (a) if the offeror is, or includes, an individual--the individual; and
- (b) if the offeror is, or includes, a body corporate with 2 or more directors--not fewer than 2 of the directors who are authorised to sign the notice by a resolution passed at a directors' meeting; and

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(c) if the offeror is, or includes, a body corporate that has only one director--that director.

(3A) Notwithstanding subsection (3), a notice under subsection (1) need not be signed if the notice is approved by:

(a) for an offeror that is a body corporate:

(i) if the consideration offered under the offer is a cash sum only—a resolution passed by the directors of the offeror; or

(ii) otherwise—a unanimous resolution passed by all the directors of the offeror; or

(b) for an offeror who is an individual—the offeror.

Note: If the offeror is incorporated in a jurisdiction that requires it to have two or more boards of directors, the offeror may determine which board of directors is responsible for the resolution required under this subsection.

(4) A copy of the notice must be given to ASX Limited.

**1019HE Right to withdraw acceptances**

(1) A person who accepts an offer made under an offer to which this Division applies may withdraw their acceptance of the offer if:

(a) the offer is subject to a defeating condition; and

(b) the offeror varies the offers under the offer in a way that postpones for more than 1 month the time when the offeror has to meet their obligations under the offer; and

(c) the person is entitled to be given a notice of the variation under subsection 1019HD(1).

(2) To withdraw their acceptance, the person must:

(a) give the offeror notice within 1 month beginning on the day after the day on which the copy of the notice of the variation was received; and

(b) return any consideration received by the person for accepting the offer.

(3) A notice under paragraph (2)(a) must be in writing and may be given by electronic means.

(4) If the person withdraws their acceptance, the offeror must return any documents that the person sent the offeror with the acceptance of the offer within 14 days after:

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- (a) if the person does the things referred to in subsection (2) on the same day--that day; or
  - (b) if the person does those things on different days--the last of those days
- (5) If, under subsection (2), a person returns to the offeror any consideration received and any necessary transfer documents in relation to securities offered and issued by the offeror under an offer, the offeror must cancel those securities as soon as possible.
- (6) Any reduction in the share capital of the offeror resulting from the application of subsections (2) and (5) is authorised by this subsection.

**1019HF Freeing offers from defeating conditions**

- (1) If the offers under an offer to which this Division applies are subject to a defeating condition, the offeror may free the offers, and the offer contracts, from the condition only by giving the issuer of the financial products the subject of the offer a notice declaring the offers to be free from the condition in accordance with this section:
- (a) if the condition relates only to the happening of an event or circumstances referred to in subsection 652C(1) or (2), or any other similar events or circumstances specified by the offeror in the offer document and agreed to by ASIC in writing, in relation to the issuer of the financial products the subject of the offer, as if the issuer is a target to which those subsections apply – not later than 3 business days after the end of the offer period; or
  - (b) in any other case – not less than 7 days before the end of the offer period.
- (2) The notice must:
- (a) state that the offers are free from the condition; and
  - (b) specify the offeror's voting power in the issuer.
- (3) The notice must be given to ASX Limited.
- (4) An offence based on subsection (3) is an offence of strict liability.

**1019HG Defeating conditions***Offer may include defeating conditions*

- (1) An offer to which the Division applies may be made subject to a defeating condition only if the offers specify a date (not more than 14 days and not less than 7 days before the end of the offer period) for giving a notice on the status of the condition or the offeror gives such a notice on a date not more than 14 days and not less than 7 days before the end of the offer period.



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(2) If an offer is subject to a defeating condition and the offer period is extended in accordance with sections 1019HB or 1019HC:

(a) the date or period for giving notice of the status of the conditions is taken to be postponed for the same period; and

(b) as soon as practicable after the extension the offeror must give a notice that states:

(i) the new date or period for giving notice of the status of the condition; and

(ii) whether the offers have been freed from the conditions and whether, so far as the offeror knows, the condition has been fulfilled on the date the notice under this subsection is given.

*Offeror to give notice of status of defeating condition near end of offer period*

(3) On the date determined under subsection (1) or (2), the offeror must give a notice that states:

(a) whether the offers are free of the condition;

(b) whether, so far as the offeror knows, the condition was fulfilled on the date the notice is given; and

(c) the offeror's voting power in the issuer of the financial products the subject of the offer.

The offeror must comply with this subsection whether or not the offeror has given a notice under subsection (4) or 1019HF(1).

Note: The offers may be freed of the condition by a declaration by the offeror under subsection 1019HF(1).

*Offeror to give notice if defeating condition fulfilled*

(4) If the condition is fulfilled (so that the offers become free of the condition) during the offer period but before the date for giving the notice on the status of the condition, the offeror must give as soon as practicable a notice that states that the condition has been fulfilled.

(5) A notice given under this section is given by:

(a) giving the notice to the issuer of the financial products the subject of the offer; and

(b) giving the notice to ASX Limited.

*Strict liability offences*

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(6) An offence based on subsection (2), (3) or (4) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

**1019HH Contracts and acceptances void if defeating condition not fulfilled**

All offer contracts, and all acceptances that have not resulted in binding offer contracts, for an offer to which this Division applies are void if:

- (a) offers have at any time been subject to a defeating condition; and
- (b) the offeror has not declared the offers to be free from the condition within the period before the date applicable under subsection 1019HF(1); and
- (c) the condition has not been fulfilled at the end of the offer period.

A transfer of a financial product based on an acceptance or contract that is void under this section must not be registered.”.

**Where this instrument applies**

5. This instrument applies in relation to an unsolicited offer (*Offer*) made by the Company under an offer document dated 30 September 2015, to purchase ordinary shares (*Shares*) including Shares underlying CDIs, in Universal Coal plc (*Universal*), a company incorporated in England and Wales and listed on the financial market operated by ASX, where:

- (a) the Company varies the terms of an Offer and the variation has the effect of any one or more of the following:
  - (i) extending the offer period (whether or not the offer period has been previously extended);
  - (ii) improving the consideration offered to purchase the Shares or CDIs (whether or not the consideration has been previously improved);
  - (iii) freeing the Offer from any defeating condition (whether or not the Offer has been previously freed from any defeating condition); or
  - (iv) making the terms of the Offer consistent with the requirements in section 1019HC, 1019HE or 1019HH of the Act (as notionally inserted by this instrument); and
- (b) the Company gives to ASX an announcement within 2 business days of the date of this instrument explaining the nature and effect of this instrument.

**Interpretation**

6. In this instrument:

*ASX* means ASX Limited.



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**CDIs**, in relation to Shares in Universal held by CDN in accordance with the operating rules of ASX Settlement Pty Limited, means units of beneficial ownership in Shares that are issued for the purpose of enabling interests in the Shares to be recorded and transferred in accordance with the operating rules.

**CDN** means CHESS Depositary Nominees Pty Limited.

**defeating condition**, in relation to the Offer, means a condition that:

- (a) will, in circumstances referred to in the condition, result in the rescission of, or entitle the Company to rescind, an offer contract; or
- (b) prevents the binding offer contract from resulting from an acceptance of the Offer unless or until the condition is fulfilled.

**offer document** means the document dated 30 September 2015 and given by the Company to ASX on that date, which sets out the terms of the Offer.

**offer period** means the period during which offers remain open (including any extension permitted under this instrument).

**unsolicited offer** has the same meaning as in subsection 1019D (1) of the Act.

Dated this 25<sup>th</sup> day of November 2015



Signed by Nathania Nero  
As a delegate of the Australian Securities and Investments Commission

15-1129

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 15-1129.

**Commencement**

3. This instrument commences on 26 November 2015.

**Declaration**

4. Division 5A of Part 7.9 of the Act applies in relation to Coal of Africa Limited ACN 008 905 388 (*the Company*) as if the following provisions were modified or varied as follows:

- (a) in section 1019C, insert (in alphabetical order):

*“depository interests*, in relation to underlying financial products of a foreign company held by CDN in accordance with the operating rules of ASX Settlement Pty Limited, means units of beneficial ownership in the financial products that are issued for the purpose of enabling interests in the financial products to be recorded and transferred in accordance with the operating rules.

*CDN* means CHES Depositary Nominees Pty Limited.

*defeating condition*, in relation to an offer to which this Division applies, means a condition that:

- (a) will, in circumstances referred to in the condition, result in the rescission of, or entitle the offeror to rescind, an offer contract; or
- (b) prevents the binding offer contract from resulting from an acceptance of the offer unless or until the condition is fulfilled.

*relevant interest*, in relation to financial products the subject of an offer to which this Division applies, has the meaning given in sections 608 and 609, as if:

- (a) the financial products the subject of the offer are securities;
- (b) the issuer of the financial products is a body to which Chapter 6 applies.

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***underlying financial products***, in relation to depositary interests, means shares of a foreign company which are admitted to quotation on the financial market operated by ASX Limited.

***voting power***, in relation to a person's voting power in the issuer of a financial product the subject of an offer to which this Division applies, has the meaning given in section 610 of the Act, as if:

- (a) the financial products the subject of the offer are voting shares;
  - (b) the issuer of the financial products is a designated body.”;
- (b) after section 1019C, insert:

**“1019CA Interpretation**

(1) In this Division, subject to subsection (2), references to a date or day means a date or day in the jurisdiction in which acceptances are to be received under an offer and, to the extent that there is more than one jurisdiction, the jurisdiction of receipt nominated by the offeror.

(2) In this Division, for the purposes of the period referred to in section 1019HC, the period which would otherwise apply in accordance with subsection (1) is taken to include the period that would apply as if references to a date or day means a date or day in this jurisdiction (but only from 9am Australian Eastern Standard Time on the date or day in this jurisdiction).”;

- (c) omit section 1019H, substitute:

“(1) An offeror may only vary the terms of an offer to which this Division applies:

- (a) in accordance with sections 1019HA, 1019HB, 1019HC or 1019HF; or
- (b) so that the terms of the offer are consistent with the requirements in section 1019HC, 1019HE or 1019HH.

(2) If the offeror varies the offer in accordance with sections 1019HA, 1019HB, 1019HC or 1019HF, the offeror must vary all unaccepted offers under the offer in the same way.

(3) A purported variation of the terms of the offer, other than in accordance with subsections (1) and (2), is ineffective.

- (4) This section does not:

- (a) affect the offeror's obligation under section 1019J to update the market value of the financial product to which the offer relates;
  - (b) prevent the offeror from withdrawing the offer in accordance with section 1019G or paragraph 1019J(2)(a) and making another offer on different terms;
- or

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(c) prevent the offeree from making a counter-offer on different terms.”;

(d) after section 1019H, insert:

**“1019HA Improving consideration offered**

(1) The offeror may vary the offers under an offer to which this Division applies to improve the consideration offered:

- (a) by increasing a cash sum offered; or
  - (b) by increasing the number of securities offered; or
  - (c) by increasing the rate of interest payable under debentures offered; or
  - (d) by increasing the amount or value of debentures offered; or
  - (e) by increasing the number of unissued securities that may be acquired under options offered; or
  - (f) by offering a cash sum in addition to securities; or
  - (g) if the securities being acquired include shares to which rights to accrued dividends are attached – by giving the holders the right to:
    - (i) retain the whole or a part of the dividend; or
    - (ii) be paid an amount equal to the amount of the dividend;
- in addition to the consideration already offered; or
- (h) by offering an additional or alternative form of consideration.

(2) Improving the consideration has the effects set out in the following table on the rights of a person who has already accepted an offer to which this Division applies when the variation is made.

<b>Effect of improving consideration</b>		[operative]
<b>Improvement</b>		<b>Effect on person who has already accepted offer</b>
1	improvement of the only form of consideration being offered	entitled to the improved consideration
2	2 or more forms of consideration offered and all forms improved by the same factor or percentage	entitled to the improvement in the form of consideration accepted

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<b>Effect of improving consideration</b>		[operative]
<b>Improvement</b>		<b>Effect on person who has already accepted offer</b>
3 2 or more forms of consideration offered and improvement in the consideration is identical for all forms		entitled to the improvement in the form of consideration accepted
4 addition of a new form of consideration		entitled to make a fresh election as to the form of consideration to be taken
5 any other improvement		entitled to make a fresh election as to the form of consideration to be taken

(3) The person is entitled to receive the improved consideration immediately, subject to the following paragraphs:

- (a) if the time for payment of the consideration has not yet occurred, the person is not entitled to receive the improved consideration until that time;
- (b) if the person has to make an election before being entitled to the improved consideration, the person is not entitled to receive the improved consideration until the later of:
  - (i) the time when the election is made; and
  - (ii) the time applicable under paragraph (a).

(4) If a person who has already accepted an offer has the right to make a fresh election as to the form of consideration to be taken, the offeror must send the person as soon as practicable after the variation a written notice informing them about their right to make the election.

Note: Paragraphs 1019E(1)(a) and (b) provide for the manner in which documents may be sent to holders.

(5) An offence based on subsection (4) is an offence of strict liability.

(6) An election under this section to take a new form of consideration must be made:

- (a) by written notice to the offeror; and
- (b) within 1 month after the person receives the notice from the offeror of their right to make the election.

(7) The person becomes entitled to the new form of consideration if they:

- (a) make the election; and

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(b) return to the offeror:

- (i) any consideration they have already received; and
- (ii) any necessary transfer documents.

(8) If, under subsection (7), a person returns to the offeror any consideration received and any necessary transfer documents in relation to securities offered and issued by the offeror under an offer, the offeror must cancel those securities as soon as possible.

(9) Any reduction in the share capital of the offeror resulting from the application of subsections (7) and (8) is authorised by this subsection.

**1019HB Extension of offer period**

(1) An offeror making an offer to which this Division applies may extend the offer period at any time before the end of the offer period.

(2) If an offer is subject to a defeating condition, the offeror may extend the offer period after the offeror has given the notice under subsection 1019HG(1) only if one of the following happens after the offeror has given the notice:

(a) another person announces an offer, or an intention to make an offer, to purchase all financial products in the same class as the financial products the subject of the first offer or all depositary interests relating to financial products in the same class of financial products the subject of the first offer;

(b) another person announces an offer, or an intention to make an offer, to purchase financial products in the same class as the financial products the subject of the first offer or depositary interests relating to financial products in the same class of financial products the subject of the first offer which, were all those offers to be accepted, would result in that person's or another person's voting power in the issuer of the financial products increasing:

(i) from 20% or below to more than 20%;

(ii) from a starting point that is above 20% and below 90% and that is more than 3% greater than the person's voting power at the time of the announcement;

(c) another person makes offers referred to in subsections (a) or (b);

(d) the consideration for offers referred to in subsections (a) or (b) is improved.

Note: Subsection 1019G says how long the total offer period can be.

**1019HC Automatic extension of offer period**

(1) If, within the last 7 days of the offer period:



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- (a) the offers are varied to improve the consideration offered; or
- (b) the offeror's voting power in the issuer of the financial products the subject of the offer increases to more than 50%;

the offer period is extended so that it ends 14 days after the event referred to in paragraph (a) or (b) at the time of day the offer period would have ended if it has not been extended under this subsection. The offeror must give the issuer of the financial products the subject of the offer and every person who has not accepted an offer written notice that the extension has occurred within 3 days after that event.

- (2) An offence based on subsection (1) is an offence of strict liability.

#### **1019HD Method of making variation**

- (1) To vary the terms of an offer to which this Division applies in accordance with sections 1019HA or 1019HB the offeror must:

- (a) prepare a notice that:
  - (i) sets out the terms of the proposed variation; and
  - (ii) if the offer is subject to a defeating condition and the proposed variation postpones for more than 1 month the time by which the offeror must satisfy their obligations under the offer--informs people about the right to withdraw acceptances under section 1019HE; and
- (b) give the notice to:
  - (i) the issuer of the financial products the subject of the offer; and
  - (ii) everyone to whom offers were made under the offer.

- (2) A person must be sent a copy of the notice under subparagraph (1)(b)(ii) even if they have already accepted the offer. However, they need not be sent a copy if:

- (a) the variation merely extends the offer period; and
- (b) the offer is not subject to a defeating condition at the time the notice is given to the issuer of the financial products the subject of the offer .

- (3) A notice under subsection (1) must be signed by:

- (a) if the offeror is, or includes, an individual--the individual; and
- (b) if the offeror is, or includes, a body corporate with 2 or more directors--not fewer than 2 of the directors who are authorised to sign the notice by a resolution passed at a directors' meeting; and

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(c) if the offeror is, or includes, a body corporate that has only one director—that director.

(3A) Notwithstanding subsection (3), a notice under subsection (1) need not be signed if the notice is approved by:

(a) for an offeror that is a body corporate:

(i) if the consideration offered under the offer is a cash sum only—a resolution passed by the directors of the offeror; or

(ii) otherwise—a unanimous resolution passed by all the directors of the offeror; or

(b) for an offeror who is an individual—the offeror.

Note: If the offeror is incorporated in a jurisdiction that requires it to have two or more boards of directors, the offeror may determine which board of directors is responsible for the resolution required under this subsection.

(4) A copy of the notice must be given to ASX Limited.

**1019HE Right to withdraw acceptances**

(1) A person who accepts an offer made under an offer to which this Division applies may withdraw their acceptance of the offer if:

(a) the offer is subject to a defeating condition; and

(b) the offeror varies the offers under the offer in a way that postpones for more than 1 month the time when the offeror has to meet their obligations under the offer; and

(c) the person is entitled to be given a notice of the variation under subsection 1019HD(1).

(2) To withdraw their acceptance, the person must:

(a) give the offeror notice within 1 month beginning on the day after the day on which the copy of the notice of the variation was received; and

(b) return any consideration received by the person for accepting the offer.

(3) A notice under paragraph (2)(a) must be in writing and may be given by electronic means.

(4) If the person withdraws their acceptance, the offeror must return any documents that the person sent the offeror with the acceptance of the offer within 14 days after:



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(a) if the person does the things referred to in subsection (2) on the same day--that day; or

(b) if the person does those things on different days--the last of those days

(5) If, under subsection (2), a person returns to the offeror any consideration received and any necessary transfer documents in relation to securities offered and issued by the offeror under an offer, the offeror must cancel those securities as soon as possible.

(6) Any reduction in the share capital of the offeror resulting from the application of subsections (2) and (5) is authorised by this subsection.

**1019HF Freeing offers from defeating conditions**

(1) If the offers under an offer to which this Division applies are subject to a defeating condition, the offeror may free the offers, and the offer contracts, from the condition only by giving the issuer of the financial products the subject of the offer a notice declaring the offers to be free from the condition in accordance with this section:

(a) if the condition relates only to the happening of an event or circumstances referred to in subsection 652C(1) or (2), or any other similar events or circumstances specified by the offeror in the offer document and agreed to by ASIC in writing, in relation to the issuer of the financial products the subject of the offer, as if the issuer is a target to which those subsections apply – not later than 3 business days after the end of the offer period; or

(b) in any other case – not less than 7 days before the end of the offer period.

(2) The notice must:

(a) state that the offers are free from the condition; and

(b) specify the offeror's voting power in the issuer.

(3) The notice must be given to ASX Limited.

(4) An offence based on subsection (3) is an offence of strict liability.

**1019HG Defeating conditions***Offer may include defeating conditions*

(1) An offer to which the Division applies may be made subject to a defeating condition only if the offers specify a date (not more than 14 days and not less than 7 days before the end of the offer period) for giving a notice on the status of the condition or the offeror gives such a notice on a date not more than 14 days and not less than 7 days before the end of the offer period.

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(2) If an offer is subject to a defeating condition and the offer period is extended in accordance with sections 1019HB or 1019HC:

- (a) the date or period for giving notice of the status of the conditions is taken to be postponed for the same period; and
- (b) as soon as practicable after the extension the offeror must give a notice that states:
  - (i) the new date or period for giving notice of the status of the condition; and
  - (ii) whether the offers have been freed from the conditions and whether, so far as the offeror knows, the condition has been fulfilled on the date the notice under this subsection is given.

*Offeror to give notice of status of defeating condition near end of offer period*

(3) On the date determined under subsection (1) or (2), the offeror must give a notice that states:

- (a) whether the offers are free of the condition;
- (b) whether, so far as the offeror knows, the condition was fulfilled on the date the notice is given; and
- (c) the offeror's voting power in the issuer of the financial products the subject of the offer.

The offeror must comply with this subsection whether or not the offeror has given a notice under subsection (4) or 1019HF(1).

Note: The offers may be freed of the condition by a declaration by the offeror under subsection 1019HF(1).

*Offeror to give notice if defeating condition fulfilled*

(4) If the condition is fulfilled (so that the offers become free of the condition) during the offer period but before the date for giving the notice on the status of the condition, the offeror must give as soon as practicable a notice that states that the condition has been fulfilled.

(5) A notice given under this section is given by:

- (a) giving the notice to the issuer of the financial products the subject of the offer; and
- (b) giving the notice to ASX Limited.

*Strict liability offences*

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(6) An offence based on subsection (2), (3) or (4) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

**1019HH Contracts and acceptances void if defeating condition not fulfilled**

All offer contracts, and all acceptances that have not resulted in binding offer contracts, for an offer to which this Division applies are void if:

- (a) offers have at any time been subject to a defeating condition; and
- (b) the offeror has not declared the offers to be free from the condition within the period before the date applicable under subsection 1019HF(1); and
- (c) the condition has not been fulfilled at the end of the offer period.

A transfer of a financial product based on an acceptance or contract that is void under this section must not be registered.”.

**Where this instrument applies**

5. This instrument applies in relation to an unsolicited offer (*Offer*) by the Company to purchase ordinary shares (*Shares*), including Shares underlying CDIs, in Universal Coal plc (*Universal*), a company incorporated in England and Wales and listed on the financial market operated by ASX, made under an offer document and in accordance with the terms and conditions announced by the Company on ASX on 26 November 2015, where:
- (a) the Company varies the terms of an Offer and the variation has the effect of any one or more of the following:
    - (i) extending the offer period (whether or not the offer period has been previously extended);
    - (ii) improving the consideration offered to purchase the Shares or CDIs (whether or not the consideration has been previously improved);
    - (iii) freeing the Offer from any defeating condition (whether or not the Offer has been previously freed from any defeating condition); or
    - (iv) making the terms of the Offer consistent with the requirements in section 1019HC, 1019HE or 1019HH of the Act (as notionally inserted by this instrument); and
  - (b) the Company gives to ASX an announcement within 2 business days of the date of this instrument explaining the nature and effect of this instrument.

**Interpretation**

6. In this instrument:

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*ASX* means ASX Limited.

*CDIs*, in relation to Shares in Universal held by CDN in accordance with the operating rules of ASX Settlement Pty Limited, means units of beneficial ownership in Shares that are issued for the purpose of enabling interests in the Shares to be recorded and transferred in accordance with the operating rules.

*CDN* means CHESS Depositary Nominees Pty Limited.

*defeating condition*, in relation to the Offer, means a condition that:

- (a) will, in circumstances referred to in the condition, result in the rescission of, or entitled the Company to rescind, an offer contract; or
- (b) prevents the binding offer contract from resulting from an acceptance of the Offer unless or until the condition is fulfilled.

*offer document* means a document to be circulated by the Company to holders of Shares and CDIs in Universal in connection with the Offer, which contains the terms and conditions of the Offer.

*offer period* means the period during which offers remain open (including any extension permitted under this instrument).

*unsolicited offer* has the same meaning as in subsection 1019D (1) of the Act.

Dated this 26<sup>th</sup> day of November 2015



Signed by Nathania Nero  
As a delegate of the Australian Securities and Investments Commission

15/1131

**Australian Derivative Trade Repository Licence (Chicago Mercantile Exchange Inc.) Variation Notice 2015 (No. 1)****1. Name of variation**

This instrument is the *Australian Derivative Trade Repository Licence (Chicago Mercantile Exchange Inc.) Variation Notice 2015 (No. 1)*.

**2. Commencement**

This instrument commences on 27 November 2015.

**3. Authority**

This instrument is made under subsection 905F(1) of the *Corporations Act 2001*.

**4. Variation**

The *Australian Derivative Trade Repository Licence (Chicago Mercantile Exchange Inc.) 2015* is varied by, after paragraph 6(1)(b), inserting:

“(ba) equity derivatives;”.

Dated this 26<sup>th</sup> day of November 2015



Signed by Oliver Harvey

as a delegate of the Australian Securities and Investments Commission

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## AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

*Superannuation Industry (Supervision) Act 1993*  
Subsection 130F(2)

## DISQUALIFICATION ORDER

To: James Dermody

Approved SMSF auditor registration number 100259612

Under s130F(2) of the *Superannuation Industry (Supervision) Act 1993* the Australian Securities and Investments Commission disqualifies James Dermody from being an approved SMSF auditor with effect from 11 November 2015.

Dated this 4<sup>th</sup> day of November 2015

Signed: 

Craig Angove  
Delegate of the Australian Securities and Investments Commission

15-1139

## 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 27 November 2015.

## AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

VARIATION OF NOTICE OF SUSPENSION OF  
AUSTRALIAN FINANCIAL SERVICES LICENCE

To: Australian Capital Markets Advisory Services Pty Ltd ACN 150 530 331

Under s915B of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby varies ASIC Instrument 15-0742, as varied by ASIC Instrument 15-1010, by replacing the date "27 November 2015" with the date "26 February 2016".

Dated this 27<sup>th</sup> day of November 2015

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

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

15-1146

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 15-1146.

**Commencement**

3. This instrument commences on 3 December 2015.

**Declaration**

4. Chapter 6D of the Act applies to an offer for sale of ordinary shares in Animoca Brands Corporation Limited ACN 122 921 813 (*Animoca*) as if paragraph 708A(5)(b) of the Act, as notionally modified by ASIC Class Order [CO 08/25], was further modified or varied as follows:
  - (a) Omit subparagraph 708A(5)(b)(i), substitute:

"(i) if this section applies because of subsection (1) — the period from 23 January 2015 up to the day on which the relevant securities were issued; or".

**Where this instrument applies**

5. The modification in paragraph 4 applies to an offer for sale of ordinary shares in Animoca where:
  - (a) the ordinary shares were issued on or around 7 December 2015 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; and
  - (b) Animoca has given ASX a notice under paragraph 708A(5)(e) of the Act which complies with subsection 708A(6) of the Act.

**Interpretation**


6. In this instrument:



15-1146

*ASX* means ASX Limited ACN 008 624 691.

Dated this 3<sup>rd</sup> day of December 2015



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

15-1156

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

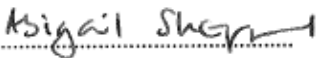
Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on the date of service of the order on the person to whom it relates, being 26 November 2015.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****IN THE MATTER OF MARK LIONEL TIDBURY****BANNING ORDER UNDER SECTIONS 920A AND 920B  
OF THE CORPORATIONS ACT 2001**

To: Mark Lionel Tidbury

**TAKE NOTICE** that under sections 920A(1) and 920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Mark Lionel Tidbury from providing any financial services for a period of six (6) years.

Dated this 12th day of November 2015

Signed:   
12 November 2015  
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.

CORPORATIONS ACT 2001  
SECTION 601AH(1)& 601AH(2)

Notice is hereby given that the registration of  
the companies mentioned below have been reinstated.

Dated this second day of December 2015

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ACN
A.C.N. 076 049 057 PTY LTD	076 049 057
A & R HEATON PTY LTD	131 830 905
AARDVARK MANAGEMENT PTY LTD	161 062 559
ACME ENGINEERING (TAS) PTY LTD	100 836 351
ACN 010 715 081 PTY LTD	010 715 081
ACN 096 623 835 PTY LTD	096 623 835
ACN 150 532 442 PTY LTD	150 532 442
ACN 158 175 270 PTY LTD	158 175 270
ACV TYRE SALES & REPAIRS PTY LTD	125 509 300
ADDSCA PTY LTD	110 594 879
ANGRY ANT PEST CONTROL PTY LTD	139 103 763
ANSWER PLUMBING SERVICES PTY LTD	121 738 850
AOSING INTERNATIONAL TRADE PTY. LTD.	124 753 386
AOU CONSULTING PTY. LTD.	152 408 252
APHRODITE BEACH HOLDINGS PTY LTD	113 109 087
APPLICATIONS DEVELOPER PTY. LTD.	158 542 253
ARAMAX NOMINEES PTY LTD	163 183 337
ASTEN SOLAR PTY LTD	158 563 225
ASTROFORM PTY LTD	123 674 457
ATLAS SERVICES (INT'L) PTY LTD	147 748 141
AUIEDA PTY LTD	128 401 972
AURORA MANAGEMENT CONSULTANCIES PTY LTD	091 728 522
AUSSIE TRADE INTERNATIONAL PTY LTD	160 729 760
AUSTRALIAN EXPORT RESOURCES PTY. LIMITED	061 160 496
AUSTRALIAN NATIONAL INSURANCE DISTRIBUTORS PTY. LTD.	099 598 786

<b>Name of Company</b>	<b>ACN</b>
AUSTRALIAN PRO POKER PTY LTD	137 701 216
AVTEL PTY. LTD.	006 901 444
BAYLAND NOMINEES PTY LTD	113 896 076
BETTAL PTY LTD	163 641 638
BEYLANO PTY LTD	126 040 319
BOMILFIELD PTY. LIMITED	008 593 664
BRIANOLOGY PTY. LTD.	143 661 616
BROWINGS RURAL PTY LTD	153 023 066
BRYNSAL PTY LTD	124 984 238
C & K MACHINERY HIRE PTY LTD	121 021 207
C & V GROUP PTY LTD	120 815 081
CAPITAL FLOORING PTY. LTD.	160 635 629
CARTHAGE CATERING PTY LTD	163 174 472
CARTHAGE INVESTMENTS PTY LTD	000 139 640
CASTLE HAVEN CONSTRUCTIONS PTY LTD	124 635 383
CENTRAL UPPER NORTHERN TRANSPORT SERVICE PTY LTD	163 155 888
CEYLON CUT PTY LTD	161 344 387
CFI INTERNATIONAL PTY LTD	155 606 116
CHAU-VO MED SERV PTY LTD	095 395 430
CHRISTIE & SONS EMPLOYEE SHARE PLAN PTY. LIMITED	060 714 703
CHUN ENG PTY LTD	077 943 732
CKL PTY LIMITED	070 633 715
CLEMB HOLDINGS PTY LTD	141 989 586
COAB CORPORATION PTY LTD	141 483 570
COGENT CORP INTERNATIONAL PTY. LTD.	163 272 777
COLMENA PTY LTD	144 888 531
COMICAL ALI MILITANT VEGETARIAN PTY LTD	129 299 172
COMPASS EVENTS PTY LTD	116 745 110
COMPLETE CARPENTRY CONTRACTS PTY LTD	162 204 024
COMPLETE CATERING COMPANY PTY LTD	114 691 020
CONACH PTY LTD	155 855 897
CONEC PTY LTD	134 579 427
COOMTRACT PTY. LTD.	004 317 695
COURABIRA PASTORAL COMPANY PTY. LIMITED	060 853 689
CROWN HAIR & BEAUTY PTY LTD	159 704 597
CUT COLOUR AND BEAUTY PTY. LTD.	163 086 673
C VASQUEZ PTY LTD	133 103 947
D&M CENTURY PTY. LTD.	145 262 399

<b>Name of Company</b>	<b>ACN</b>
DANEX HOLDINGS PTY. LTD.	163 872 240
DAWESVILLE ENGINEERING SURVEYS PTY LTD	118 883 631
DELIPCEY PTY LTD	142 231 589
DESTINY FIRST SERVICES PTY LTD	152 700 635
DMW ENTERPRISES PTY LTD	149 458 186
DODEM PTY LTD	103 129 942
DOUGLAS HAWKINS PTY LTD	087 123 135
DOURILLE PTY LTD	001 438 124
DYNAMO AUSTRALIA PTY LTD	155 355 883
EASTERN HEIGHT SAFETY PTY. LTD.	137 859 100
EDDIE GARNI PTY LTD	101 547 380
EDDY INK PTY. LTD.	107 539 355
EKAZ PTY. LTD.	114 717 878
ELITE BODY MECHANICS PTY LTD	164 392 616
EVERYDAY TRANSPORT PTY LTD	155 626 716
EZY LOGISTICS PTY. LTD.	157 908 364
E4 GROUP PTY LTD	151 894 138
FAIRHAVEN SURF PTY LTD	095 243 093
FAR EASTERN FERTILIZERS PTY. LTD.	077 245 946
FARPOINT PTY. LIMITED	062 792 563
FINE TRADING PTY. LTD.	158 035 897
FMR BEVERAGES PTY LTD	141 083 829
FOLETCO LIMITED	004 094 106
FUTUREFLEX INTERNATIONAL PTY LTD	154 768 108
G.J. AND L.G. BARRON PTY LTD	057 322 193
GAMEREC CHARTERS PTY. LTD.	147 551 013
GARY AND CO PTY LIMITED	124 671 905
GENERAL PATON PTY LTD	159 239 175
GENGHIS KHAN PTY LTD	156 412 592
GLOBAL ASIA AUSTRALIA PTY. LTD.	156 063 811
GLOBAL SUCCESS LINK PTY. LTD.	162 617 629
GLOBAL TAEKWONDO PTY. LTD.	148 154 170
GLOBAL WELLNESS PTY. LTD.	162 469 249
GM CARMODY HOLDINGS PTY LTD	008 688 926
GOGIA HOLDINGS PTY LTD	093 624 796
GOLD COW AUSTRALIA PTY LTD	164 541 404
GORJI & CO PTY LTD	158 799 681
GRANITE WORKS (NSW) PTY LTD	131 557 376

Name of Company	ACN
GREENE STREET PTY LTD	095 726 006
H.W.H. TRADING PTY LTD	104 324 923
HALL SHEARING PTY LTD	139 750 182
HARRYSINGH PTY LTD	163 494 086
HIGIN INTERNATIONAL PTY LTD	163 310 718
HITONE & CO PTY LTD	162 160 321
HMR CONSTRUCTION PTY LTD	136 960 051
HOA ONG PTY LTD	159 075 251
HOMETECH BUILDERS AUSTRALIA PTY LTD	144 928 558
HOOK CIVIL PTY LTD	156 390 206
HOT WATER MAINTENANCE WOLLONGONG PTY LIMITED	163 069 163
HUNTSMAN GROUP PTY LTD	104 195 655
I.G.GOOLD PTY LTD	162 102 650
IANNELLA PROPERTY HOLDING PTY LTD	161 228 431
IBRAHIMKHIR PTY LTD	149 037 409
IMPACT SECURITY AND MANAGEMENT PTY LTD	117 227 219
INSIDE OUT LEADERSHIP PTY. LTD.	142 027 601
INSTYLE CONSTRUCTIONS PTY LTD	073 377 643
IVY MEDICAL SPECIALISTS PTY LTD	162 590 687
JADISSON PTY LTD	162 158 367
JANRAI PTY LTD	107 525 691
JAVA SPICE AUSTRALIA PTY LTD	153 609 226
JAVOS INDUSTRIES PTY LTD	097 023 526
JKAA INVESTMENTS PTY LTD	130 301 334
JOHNS INDUSTRIES PTY LTD	109 630 220
KABILAH PTY LTD	161 327 288
KABLE CONSULTING SERVICES PTY. LTD.	010 031 857
KAPPATOS HOLDINGS PTY LIMITED	078 435 631
KASBAR PTY. LTD.	010 038 196
KAVANAGH PREMIER INVESTMENTS PTY. LTD.	129 862 068
KELMONT PTY LTD	001 371 740
KEO PRODUCTIONS PTY LTD	117 125 498
KILCORP PROPERTIES PTY LTD	113 533 823
KING COUNTRY ROOFING PTY LTD	109 448 599
L & K TAYLOR'D SERVICES PTY LTD	136 030 496
LAKE RED HOLDINGS PTY LTD	009 331 935
LANBERG PTY. LTD.	010 988 799
LARRY NEELANDS SUPERANNUATION FUND PTY LTD	147 376 869

<b>Name of Company</b>	<b>ACN</b>
LAST & PARRY CREATIONS PTY LTD	147 531 100
LAWGIRL PTY LTD	154 491 317
LEO TRANSPORT PTY LTD	142 646 268
LIBERTINE ENTERPRISES PTY LTD	115 289 720
LIDCO INTERNATIONAL PTY LTD	603 326 263
LIFESTYLE FINANCE & LEASING PTY LIMITED	055 930 651
LINVILLE INVESTMENTS PTY. LTD.	125 360 063
LINX NOMINEES PTY LTD	150 698 696
LITTLE RAI PRODUCTIONS PTY. LTD.	086 250 115
LIU & ZHANG PTY LTD	141 127 086
LIVDOME PTY LTD	003 069 056
LLEWELLYN'S CAFE ON LLEWELLYN ST (MEREWETHER) PTY LTD	159 747 654
LOG ON BUILDING SERVICES PTY. LTD.	155 607 122
M.A.G. INDUSTRIES (AUSTRALIA) PTY LTD	118 043 315
M.J. DE FRUTOS NOMINEES PTY. LTD.	005 823 530
M.T. CARROLL & CO. PROPRIETARY LIMITED	004 494 544
MARGARET WEBSTER PROMOTIONS PROPRIETARY LIMITED	006 102 469
MARKETING SALES PTY LTD	066 346 692
MASTER MIND SERVICES (VIC) PTY LTD	148 813 790
MBA CONSTRUCTION PTY LTD	135 523 732
MCCLURE TRADING PTY LTD	158 206 896
MCDONALD'S BULK HAULAGE PTY. LTD.	054 927 632
M C FENCING PTY LTD	162 505 133
MCKERNAN COMPUTER CONSULTANTS PTY. LTD.	007 318 738
MIDNIGHT NOMINEES PTY LTD	080 558 194
MITCHELL'S WHOLESALE HOLDINGS PTY LTD	131 054 405
MMAL STAFF SUPERANNUATION FUND PTY. LTD.	064 829 616
MOBILE BEVERAGE SOLUTIONS PTY. LIMITED	122 898 355
MOBILE DIGITAL SOLUTIONS PTY LTD	122 764 265
MODUNAR PTY LTD	057 113 550
MPFM SOLUTIONS PTY LTD	138 552 566
MR ACCOUNTING PTY LTD	133 001 957
MULTINDO HOLDINGS PTY LTD	119 451 277
MUNTY MAINTENANCE PTY. LTD.	149 539 588
MURTAGH PARCELS PTY LTD	132 807 580
MYAGENT EDUCATION PTY LTD	135 696 909
MYCAR ACCESSORIES PTY. LTD.	127 638 706
MY ENVIRONMENT PTY LTD	131 971 223

Name of Company	ACN
MY TECH DEPARTMENT PTY LTD	159 310 666
NANAMADE'EM PTY LTD	151 800 770
NEWCHURCH HAULAGE PTY LTD	131 940 497
NEWSLAB MEDIA PTY LIMITED	163 692 411
NIDUTS HOLDINGS PTY LTD	104 999 966
NITRO HOLDINGS GROUP PTY LTD	150 740 711
NORTHERN BEACHES PEST MANAGEMENT PTY. LIMITED	111 963 252
N S DAVIDSON PTY LTD	002 449 685
OZ NEXUS PROPERTY GROUP PTY LTD	162 939 362
OZTIGER PTY. LTD.	153 717 303
P & A WOLRDWIDE PTY. LTD.	164 506 290
PANSINI-CLARK & CO PTY LTD	131 059 893
PEAR TREE PRODUCTS & CO PTY LTD	121 446 213
PERTH PROJECT TILING PTY LTD	151 872 687
PETEH SUPERANNUATION FUND PTY LTD	150 893 315
PGRT PTY LTD	146 883 294
PHOENIX (WA) PTY LTD	136 693 420
PIONEER COACHES PTY LTD	000 029 372
PLANSFIELD HOLDINGS PTY LTD	059 719 381
PORTAL PROPERTIES PTY LTD	136 755 694
PRIMAX NOMINEES PTY LTD	163 183 177
PRODEL CONSTRUCTIONS PTY LTD	133 046 456
PROGRAMMERS SOLUTIONS PTY LIMITED	123 353 042
PSMJ ACCOUNTANTS PTY LTD	160 823 058
QSC INVESTMENTS PTY LTD	124 588 165
QUINDALUP (QLD) PTY LTD	091 845 519
R.J. TOOLING & MANUFACTURING PTY. LTD.	005 002 611
RAPID RESPONSE PTY LTD	163 057 636
RESORT VILLAGE PTY LTD	120 485 298
RHBC PTY. LTD.	100 690 480
RINGWOOD AUTOMATICS PTY. LIMITED	005 277 501
RN CONSTRUCTIONS PTY LTD	130 860 490
ROHANA WELIKUMBURA MEDICAL PTY LTD	127 488 984
ROLLER VIP PTY LTD	158 871 302
ROSLEIGH PTY. LTD.	112 560 504
ROSS BROS. ELECTRICAL WINDINGS PTY. LTD.	004 595 224
RPP ENTERPRISES PTY LTD	006 362 572
RY'S MAINTENANCE PTY LTD	153 380 566



Name of Company	ACN
SAFETY SEAL AUSTRALIA PTY LTD	066 296 393
SAFE WELDING SERVICES PTY LTD	126 553 704
SAILY ENTERPRISES PTY LTD	110 953 645
SANGSTER PROPERTIES PTY LTD	118 401 684
SASHA FITTINGS PTY. LTD.	093 315 158
SEEDZ INVESTMENTS PTY LTD	163 750 481
SHAWKI MEDICAL CARE PTY LTD	162 119 360
SHIPPING & MARKETING AGENCIES PTY. LTD.	011 014 083
SICLON PTY. LTD.	138 538 922
SILKWELD PTY LTD	101 126 363
SMPJ (QLD) PTY LTD	138 638 534
SNOWPOLE PTY. LIMITED	066 838 560
SOCAL ENTERPRISES PTY LTD	162 477 107
SOCIAL MEDIA BUSINESS CLUB PTY LTD	150 801 479
SPECTACLE MAKERS PTY LTD	108 613 421
SPT 2010 PTY LTD	143 964 747
STARFLEET PTY LTD	164 182 816
STATE MASTER RENDERERS PTY LTD	150 398 299
STEF'S PROPERTY GROUP PTY. LTD.	148 154 189
STUDYSMART AUSTRALIA PTY LTD	127 944 950
SUNRISE CHILDREN DEVELOPMENT PTY. LTD.	162 458 371
SUPER AND CHEAPER PTY LTD	120 296 184
SUPPLY MORE PTY. LTD.	131 477 819
SVENSONDUPREEZ PTY. LTD.	157 711 932
TCBS GROUP HOLDINGS PTY LTD	112 571 641
TELIMA INVESTMENTS PTY LTD	138 907 418
TERRA CRESTA BUSINESS SOLUTIONS PTY LIMITED	075 332 928
THE GREAT CHASE PTY LTD	134 634 209
THOMPSON & THOMPSON KITCHENS PTY. LTD.	159 878 001
TK HAKATINI ENTERPRISES PTY LTD	143 443 949
TNH TRADING PTY LTD	160 723 857
TNM GROUP PTY. LTD.	105 979 137
TOUCHDOWN MARKETING PTY. LIMITED	065 907 539
TREMCO ELECTRICAL SERVICES PTY LTD	132 238 003
TRONOX WORLDWIDE PTY LIMITED	158 561 061
TYFE PTY LTD	008 932 545
VAIS BRICKLAYING / BLOCKLAYING PTY LTD	159 502 226
VANVO PTY LTD	095 214 225

<b>Name of Company</b>	<b>ACN</b>
VERTICAL STORAGE AUSTRALIA PTY LTD	161 620 275
VICHO INTERNATIONAL TRADE PTY. LTD.	161 065 989
VICTORIAN WORKFORCE PTY LTD	156 541 276
VITANNEO PTY LTD	163 451 394
VLHA CO PTY LTD	159 866 127
WAFW WA FORMWORK CONCRETE PTY LTD	164 282 615
WALAWAMA PTY LTD	142 423 738
WARRICK CONTRACTING PTY LTD	119 093 524
WESTERN DISTRICT SAMPLES COURIERS PTY LTD	153 078 105
WILCAM HOLDINGS PTY. LIMITED	064 213 994
WINARA PROPRIETARY LIMITED	004 508 776
WRIGHT EXECUTIVE PTY. LTD.	162 172 009
WYWK INTERNET CAFE PTY. LTD.	161 929 086
YAAMA INDIGENOUS PERSONNEL PTY LTD	154 391 045
YOGI TEL PTY LTD	163 089 503
YUAN CUSTODY PTY LTD	601 522 730
YUNJIN AUSTRALIA PTY LTD	141 239 607
10 STAR GREEN PTY LTD	162 872 022
2 PAC COATINGS PTY LTD	159 534 764
23 ROSES PTY LTD	123 673 567

CORPORATIONS ACT 2001

Subsection 601PA(3)

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

Dated this fourth day of December 2015

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

**ARSN**

AUSTRALIAN INDUSTRIAL REIT

165 651 301

ORD MINNETT WHOLESALE CASH FUND

146 225 596

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 fourth day of December 2015

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

**ARSN**

APN POLAND RETAIL FUND

122 452 779

ARENA OFFICE FUND

115 845 871

HEATHLEY KEYSTONE PROPERTY FUND NO.28

093 206 118

CORPORATIONS ACT 2001

Section 601CC(3)

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

Dated this fourth day of December 2015

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

THE STARR-BOWKETT CO-OPERATIVE HOME LOANS SOCIETY NO. 5  
LIMITED

057 619 468

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 fourth day of December 2015

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

AMAYAMA TRADING CO., LTD.

149 051 203

AUSPROP HOLDINGS LIMITED

107 063 169

GREEN NUTRITION LIMITED

124 351 837

CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this fourth day of December 2015

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

BUNGAREE STAR UK LIMITED

602 286 395

IMPACT AUSTRALIA PTY LIMITED

158 113 583

LIVETV, LLC

145 207 094

PARAMOUNT FILMS OF AUSTRALIA INC.

070 261 184



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.

**DISRUPTIVE HOLDINGS LIMITED**

ACN 602 289 270 will change to a proprietary company limited by shares. The new name will be DISRUPTIVE HOLDINGS PTY LIMITED ACN 602 289 270.

**INSIGHTEYE PTY** ACN 602 253 289 will change to a proprietary company limited by shares. The new name will be INSIGHTEYE PTY LIMITED ACN 602 253 289.

**INVESTEC WENTWORTH PRIVATE EQUITY**

**LIMITED** ACN 098 207 740 will change to a proprietary company limited by shares. The new name will be INVESTEC WENTWORTH PRIVATE EQUITY PTY LIMITED ACN 098 207 740.

**KI PLANTATIONS LTD** ACN 169 127 904 will change to a proprietary company limited by shares. The new name will be KI PLANTATIONS PTY LTD ACN 169 127 904.

**RUARK CAPITAL LIMITED** ACN 168 381 977 will change to a proprietary company limited by shares. The new name will be RUARK CAPITAL PTY LTD ACN 168 381 977.

**STAGING CONNECTIONS GROUP LIMITED** ACN 083 269 701 will change to a proprietary company limited by shares. The new name will be STAGING CONNECTIONS GROUP PTY LIMITED ACN 083 269 701.