



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette  
No. A10/16, Tuesday 1 March 2016

Published by ASIC

# 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.

ISSN 1445-6060 (Online version)  
ISSN 1445-6079 (CD-ROM version)

Available from [www.asic.gov.au](http://www.asic.gov.au)  
Email [gazette.publisher@asic.gov.au](mailto:gazette.publisher@asic.gov.au)

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16-0100

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 16-0100.

**Commencement**

3. This instrument commences on 12 February 2016.

**Exemption**

4. Paramount Mining Corporation Limited ACN 102 426 175 (*Paramount*) does not have to comply with Parts 6D.2 and 6D.3 of the Act for an offer of securities in Paramindo Singapore Pte Ltd UEN 201008291H (*Paramindo*), a company incorporated under the laws of Singapore, by Paramount to the shareholders of Paramount.

**Where this instrument applies**

5. This exemption applies to invitations by Paramount to vote at a shareholders meeting on the in specie transfer by Paramount of ordinary shares in Paramindo to the shareholders of Paramount, in accordance with a notice of meeting that:
  - (a) is in substantially the same form as the draft notice of meeting given to ASIC on 11 February 2016; and
  - (b) includes a statement:
    - (i) that the demerger via dividend is not conditional on the quotation of securities of Paramindo on the Singapore Stock Exchange;
    - (ii) describing the need for, and effect of, the relief contained in this instrument as it applies to shareholders; and
    - (iii) that the notice of meeting is in substantially the same form as the draft notice of meeting given to ASIC on 11 February 2016.

Dated this 12 February 2016



Signed by Allison Fitzpatrick  
as a delegate of the Australian Securities and Investments Commission

16-0104

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 11 February 2016

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

**IN THE MATTER OF ANDREW DAVID MORONEY  
AND THE CORPORATIONS ACT 2001**

**To: Mr Andrew David Moroney**

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

**TAKE NOTICE** that under to sections 920A and 920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits **ANDREW DAVID MORONEY** from providing any financial services **PERMANENTLY**.

Dated this 22<sup>nd</sup> day of January 2016.

Signed:   
GADI BARTOLOMEO

Delegate of the  
Australian Securities and Investments Commission.

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



ASIC

Australian Securities & Investments Commission

16-0111

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

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

TO: Align Funds Management Limited  
ACN 105 684 231 ("the AFS Licensee")  
Level 25, 360 Collins Street  
MELBOURNE VIC 3000

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 234554 held by Align Funds Management Limited, with effect from the date on which this notice is given to the Licensee.

Dated this 19 February 2016

Signed ..... 

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

16 – 0112

**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 16 – 0112.

**Commencement**

3. This instrument commences on 22 February 2016.

**Declaration**

4. Chapter 6D of the Act applies to Living Cities Development Group Limited ACN 074 009 091 (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 replacement 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 replacement disclosure document for the offer lodged with ASIC which:

## 16 – 0112

- (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 replacement 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”;
- (d) after subsection 724(1A), insert:
- “(1B) Where a replacement 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 replacement 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 22 December 2015 where the Issuer has lodged a replacement 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 22<sup>nd</sup> day of February 2016



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

16 - 0113

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

Notice is hereby given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order, a copy of which is set out below, which order took effect on the date of service of the order on the person to whom it relates, being 29 January 2016.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****IN THE MATTER OF SHANE ANDREW THOMPSON****SECTIONS 920A AND 920B OF THE CORPORATIONS ACT 2001**

To: Shane Andrew Thompson

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

**TAKE NOTICE** that under paragraph 920A(1)(e) and section 920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Shane Andrew Thompson from providing any financial services for a period of seven years.

Dated this 27<sup>th</sup> day of January 2016.

Signed:   
Graeme Darcy Plath  
Delegate of the Australian Securities and  
Investments Commission

Your attention is drawn to s920C and s1311 of the Corporations Act 2001 that provide that a person commits an offence if they engage in conduct that breaches a banning order that has been made against them (Penalty \$2,750 or imprisonment for 6 months or both).

16-0115

**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 16-0115.

**Commencement**

3. This instrument commences on 19 February 2016.

**Declaration**

4. Chapter 6D of the Act applies to Abundant Produce Limited ACN 606 255 887 (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:



16-0115

"(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 disclosure document lodged with ASIC on 23 October 2015 as replaced by the replacement document lodged with ASIC on 5 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 19<sup>th</sup> day of February 2016



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



16-0117

ASIC

Australian Securities & Investments Commission

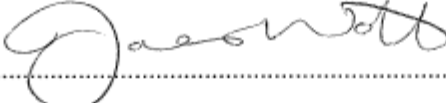
**Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B**

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

TO: Archimedes Global Investments Limited  
ACN 099 563 201  
PO Box 38  
Milsons Point  
SYDNEY NSW 1565

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 333230 held by Archimedes Global Investments Limited, with effect from the date on which this notice is given to Archimedes Global Investments Limited.

Dated this <sup>22<sup>nd</sup></sup> day of February 2016

Signed .....  


James Nott  
A delegate of the Australian Securities and Investments Commission

16-0120

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

**Enabling Legislation**

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

**Title**

- 2 This instrument is ASIC Instrument 16-0120.

**Commencement**

- 3 This instrument commences on 22 February 2016.


**Declaration**

- 4 Under section 741(1)(b) of the Act, ASIC declares that Chapter 6D of the Act applies to Eastern Goldfields Limited ACN 100 038 266 (**Issuer**) as if section 723(3)(a) of the Act were modified or varied by replacing the words '7 days after the date of the disclosure document' with '7 days after the date of a second supplementary disclosure document dated 16 February 2016'.

**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 24 December 2015 where the Issuer has lodged a second supplementary disclosure document dated 16 February 2016 with ASIC which:
- (a) discloses that the application for the admission to quotation of securities to be issued under the disclosure document, which was made within 7 days after the date of the disclosure document, contained a clerical error in relation to the number of securities for which quotation was sought; and
  - (b) describes the need for, and effect of, the relief provided in this instrument.

Dated this 22<sup>nd</sup> day of February 2016

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

16-0124

**Australian Securities and Investments Commission  
Corporations Act 2001 — Subsection 601QA(1) — 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 16-0124.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to Macquarie Investment Management Limited ACN 002 867 003 (the *responsible entity*) in its capacity as the responsible entity of each of the registered schemes set out in Schedule A (*Schemes*) as if section 601FL were modified or varied as follows:

- (a) in subsection (1) omit all the text after the word “it”, substitute:

“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 related body corporate to be the new responsible entity in accordance with subsection (1A).”;

- (b) after subsection (1) insert:

“(1A) The requirements for proposing a related body corporate (the *proposed responsible entity*) to be the new responsible entity are as follows:

- (a) The responsible entity must give members notice of a proposal to choose the proposed responsible entity, to be the scheme’s new responsible entity.
- (b) The notice to members must:
  - (i) set out:

- (A) the responsible entity's reasons for wanting to retire; and
  - (B) such information as can reasonably be expected to be material to a member in forming a view as to the choice of the proposed responsible entity; and
  - (C) information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur; and
  - (D) how members can access on the responsible entity's web site current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur; and
- (ii) state prominently that if:
- (A) members who together hold at least 5% of the total value of the interests held by members; or
  - (B) 100 members,
- who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a), ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity on or before a date specified by the responsible entity in the notice that is at least 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and
- (iii) be accompanied by a form which can be ticked to ask for a vote; and
- (iv) state prominently a reply paid address of the responsible entity to which the form may be sent.
- (c) The responsible entity must prominently disclose on its web site current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur.
- (d) If sufficient members ask for a vote in accordance with the notice, the responsible entity must arrange for a postal vote or, if the responsible entity chooses, convene a meeting in

accordance with Part 2G.4 to vote on the choice of the proposed responsible entity as soon as possible.

- (e) If there is a postal vote:
- (i) a voting paper must be sent to each member stating a reply paid address of the responsible entity to which the voting paper may be sent; and
  - (ii) the responsible entity must notify the members in, or in a document accompanying, the voting paper that:
    - (A) the proposed responsible entity will be chosen as the new responsible entity if at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the choice; and
    - (B) only votes received by the responsible entity within 28 days after the issue of the voting paper will be counted.
- (f) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed."; and

- (c) after subsection (2) insert:

“(2A) If a postal vote is arranged under paragraph (1A)(d) and at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the proposed responsible entity, that entity is taken for the purposes of subsection (2) to have been chosen by a resolution of members on the last day on which postal votes may be received in order to be counted.

- (2B) If:

- (a) a related body corporate is proposed to be the new responsible entity in accordance with subsection (1A); and
- (b) sufficient members do not ask for a vote to choose the entity in accordance with the notice referred to in paragraph (1A)(b); and
- (c) the entity has consented in writing to becoming the scheme's responsible entity,

then:

---

4

16-0124

- (d) as soon as practicable and in any event within 2 business days after the end of the period in which a member may ask for such a vote, the current 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) the notice must be accompanied by a certificate from the current responsible entity that it reasonably considers that the appointment of the proposed responsible entity would be in the best interests of members with a summary of the responsible entity's reasons as to why this is the case; and
- (f) unless ASIC reasonably believes that the appointment of the proposed responsible entity would not be in the best interests of members, ASIC must comply with the notice as soon as practicable after the notice and summary are lodged."

**Where this declaration applies**

5. This declaration applies where Macquarie Investment Management Australia Limited ACN 092 552 611 has consented in writing to becoming the new responsible entity of the relevant Scheme.
6. This declaration ceases to apply on 23 August 2016.

Dated this 23<sup>rd</sup> day of February 2016



Signed by Thomas Hough  
as a delegate of the Australian Securities and Investments Commission

## Schedule A

Scheme	ARSN
Analytic Global Managed Volatility Fund	140 358 774
Arrowstreet Emerging Markets Fund	122 035 910
Arrowstreet Global Equity Fund	122 036 006
Arrowstreet Global Equity Fund (Hedged)	090 078 943
IFP Global Franchise Fund	111 759 712
IFP Global Franchise Fund (Hedged)	138 878 092
Macquarie Australia Plus Fund	115 231 091
Macquarie Asia New Stars No. 1 Fund	134 226 387
Macquarie Australian Diversified Income Fund	094 593 790
Macquarie Australian Diversified Income (High Grade) Fund	104 932 818
Macquarie Australian Enhanced Equities Fund	091 490 961
Macquarie Australian Enhanced Plus Equities Fund	096 257 331
Macquarie Australian Equities Fund	102 261 405
Macquarie Australian Fixed Interest Fund	090 079 155
Macquarie Australian Pure Indexed Equities Fund	096 257 224
Macquarie Australian Small Companies Fund	119 853 566
Macquarie Balanced Growth Fund	091 485 988
Macquarie Capital Events Fund	133 267 204
Macquarie Capital Stable Fund	091 491 100
Macquarie Co-Investment Fund	113 983 574
Macquarie Core Australian Fixed Interest Fund	115 836 489
Macquarie Core Equities Fund	099 813 153
Macquarie Core Plus Australian Fixed Interest Fund	085 130 650
Macquarie Debt Market Opportunity No.2 Fund	134 226 449
Macquarie Diversified Equity Yield Fund	163 764 092
Macquarie Diversified Equity Yield Fund (Hedged)	601 233 881
Macquarie Diversified Fixed Interest Fund	101 815 141
Macquarie Enhanced Australian Fixed Interest Fund	085 130 794
Macquarie Enhanced Global Bond Fund	099 117 647
Macquarie Enhanced Property Securities Fund	087 433 912
Macquarie Equity Index Fund	145 225 618
Macquarie Global Bond Fund	091 487 384
Macquarie Global Equities Fund	091 486 707
Macquarie Global Income Opportunities Fund	107 266 615
Macquarie Global Infrastructure Trust II	108 891 532
Macquarie Global Multi-Sector Fixed Income Fund	154 703 474
Macquarie Hedged International Equities Fund	114 635 415
Macquarie High Conviction Fund	117 134 746
Macquarie High Yield Bond Fund	094 159 501
Macquarie Income Opportunities Fund	102 261 834
Macquarie Inflation Linked Bond Fund	091 491 039
Macquarie International Equities Fund	113 559 210
Macquarie International Infrastructure Securities Fund (Hedged)	115 990 611
Macquarie International Infrastructure Securities Fund (Unhedged)	164 557 331
Macquarie Investment Grade Bond Fund	094 159 476
Macquarie Master Australian Enhanced Equities Fund	090 077 973
Macquarie Master Balanced Fund	090 077 697
Macquarie Master Capital Stable Fund	090 078 792
Macquarie Master Cash Fund	092 595 867



Macquarie Master Enhanced Fixed Interest Fund	085 130 838
Macquarie Master Geared Growth Fund	099 813 028
Macquarie Master Property Securities Fund	090 077 866
Macquarie Master Small Companies Fund	090 079 413
Macquarie Multi-Asset Opportunities Fund	163 764 350
Macquarie Property Securities Fund	091 486 387
Macquarie Short Term Currency Alpha Fund	151 269 153
Macquarie Small Companies Fund	091 651 384
Macquarie Term Cash Fund	090 079 575
Macquarie Wholesale Australian Equities Fund	096 152 911
Macquarie Wholesale Co-Investment Fund	113 983 305
Macquarie Wholesale Property Securities Fund	090 078 470
Macquarie Yield Enhanced Australian Shares Fund	120 654 846
Polaris Global Equity Fund	169 928 232
Walter Scott Emerging Markets Fund	140 355 719
Walter Scott Global Equity Fund	112 828 136
Walter Scott Global Equity Fund (Hedged)	129 574 447
Winton Global Alpha Fund	124 282 971

16-0128

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraphs 911A(2)(l), 951B(1)(a), 992B(1)(a) and  
1020F(1)(a) — Revocation and Exemptions**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 911A(2)(l), 951B(1)(a), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument [16-0128].

**Commencement**

3. This instrument commences on the date of its gazettal.

**Revocation**

4. ASIC revokes ASIC Instrument [12-0114].

**Exemptions**

5. M Payments Pty Ltd ACN 126 015 227 (*MPayments*) does not have to comply with subsection 911A(1), Divisions 2, 3 and 4 of Part 7.7, section 992A and Part 7.9 of the Act in relation to financial services provided in respect of a Combined Facility.
6. The exemptions in paragraph 5 are not available to MPayments if it does not comply with the conditions in paragraph 7 or 8.

**Conditions**

7. MPayments must take reasonable steps to ensure all of the following are satisfied:
  - (a) before or at the time the Combined Facility is offered to a person as a retail client, the person is given a written document (the *disclosure document*) which sets out the terms and conditions of the Combined Facility and separately sets out in a prominent manner:
    - (i) information about whether any of the terms and conditions of the facility may be unilaterally varied by the issuer and a statement of how a person (the *client*) who holds the Combined Facility may get information about the new terms and conditions;
    - (ii) information about whether there is a date (the *expiry date*) after which the Combined Facility cannot be used for the making of non-

- cash payments (regardless of whether there is an amount standing to the credit of the facility at the end of the relevant day) and information about where the expiry date may be found out;
- (iii) information about the procedures for dealing with any unauthorised or mistaken transactions relating to the Combined Facility or the loss or theft of the device (if any) referred to in subparagraph (c)(i);
  - (iv) fees or charges for acquiring and using the Combined Facility and where any such fees or charges are subject to change during the life of the Combined Facility, a statement of how the client may get information about the new fees or charges;
  - (v) the name and contact details of the issuer of the Combined Facility;
  - (vi) information about the internal dispute resolution processes relevant to each component of the Combined Facility and how they can be accessed by a client;
- (b) the disclosure document is worded and presented in a clear, concise and effective manner;
- (c) where the Combined Facility is subject to an expiry date:
- (i) if the client is provided with a physical device to use the Combined Facility — the expiry date is prominently set out on the device in a manner that makes it clear that it is an expiry date;
  - (ii) otherwise — the expiry date is set out in the disclosure document or in a written statement that is attached to the disclosure document;
- (d) a convenient means is available, that involves no charge by the issuer or the associates of the issuer, for the client to do all of the following:
- (i) check the amount standing to the credit of the Combined Facility;
  - (ii) if subparagraph (c)(ii) applies — check any relevant expiry date that applies to the Combined Facility;
  - (iii) obtain at reasonable intervals a record of the past 10 transactions (or such transactions that have occurred) under the Combined Facility;
- (e) if the terms and conditions of the Combined Facility are unilaterally varied, or the fees or charges for using the Combined Facility are changed during the life of the Combined Facility:
- (i) a statement setting out the effect of the variation or change is displayed in a clear and prominent notice at each place of business
-

- where the Combined Facility may be acquired in an area that is accessible to the public;
- (ii) information about the variation or change is made available to the client in accordance with the statement in subparagraph (a)(i) or (a)(iv);
  - (iii) the new terms and conditions or fees and charges are made available to the client on request at each place of business where the Combined Facility may be acquired; and
  - (iv) if the issuer makes available information about the Combined Facility on an Internet website — information about the variation or change, and the new terms and conditions or fees and charges are made available on the website in a manner reasonably likely to come to the attention of persons seeking information about the Combined Facility;
- (f) if a Combined Facility is issued to a person as a retail client, the issuer maintains an adequate internal dispute resolution procedure that:
- (i) complies with standards and requirements made or approved by ASIC for the purposes of subparagraph 912A(2)(a)(i) of the Act, or approved by such an instrument under that provision; and
  - (ii) covers complaints against the issuer made by retail clients in connection with financial services provided in relation to the Combined Facility.
8. MPayments must give ASIC notice in writing if the Combined Facility ceases to include a low value non-cash payment facility.

### Interpretation

9. In this instrument:

**Combined Facility** means a facility comprised of a low value non-cash payment facility and a loyalty scheme.

**device** includes a certificate, voucher, token, card, coin or other object by which a person may use a low value non-cash payment facility.

**facility** has a meaning affected by section 762C of the Act.

**low value non-cash payment facility** means a facility through which, or through the acquisition of which, a person makes non-cash payments and in relation to which the following are satisfied:

- (a) the total amount available for the making of non-cash payments under all facilities of the same class held by any person at any one time does not exceed \$1,000;
- (b) the total amount available for making non-cash payments under all facilities of the same class does not exceed \$10,000,000 at any time; and
- (c) the facility is issued by MPayments.

*loyalty scheme* means a facility through which, or through the acquisition of which, a person makes non-cash payments and in relation to which all of the following apply:

- (a) the facility is issued as part of a scheme the sole or main purpose of which is to promote the purchase of goods from, or the use of the services of, the issuer of the facility or another person;
- (b) a person who holds the facility is allocated credits (however described and whether or not a monetary value is expressly attributed to the credits) as a result of the purchase of goods from, or the use of the services of, the issuer of the facility or the other person;
- (c) the credits allocated under the facility can be used to make a payment or part payment for goods or services or to obtain some other benefit; and
- (d) the facility is issued by MPayments.

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

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

Dated this 24<sup>th</sup> day of February 2016



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

16-0129



*Corporations (Australian Energy Market Operator Limited) CS Facility Exemption Notice 2016*

*Corporations Act 2001*

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I, KELLY O'DWYER, Minister for Small Business and Assistant Treasurer make this exemption under section 820C of the *Corporations Act 2001 (Act)*.

Dated 23 February 2016



KELLY O'DWYER  
Minister for Small Business and Assistant Treasurer

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16-0129

**Name of Exemption**

1. This exemption is the *Corporations (Australian Energy Market Operator Limited) CS Facility Exemption Notice 2016*.

**Commencement**

2. This exemption commences on the day it is published in the *Gazette*.

**Authority**

3. This notice is made under section 820C of the Act.

**Exemption**

4. The Reallocation Facility operated by AEMO in this jurisdiction is exempt from the operation of Part 7.3 of the Act.

**Conditions**

5. This exemption applies in the case where:
  - (a) AEMO operates the Reallocation Facility under the Reallocation Procedure; and
  - (b) in operating the Reallocation Facility, AEMO uses the Licensed CS Facility operated by Austraclear Ltd (ACN 002 060 773) or any other CS facility licensee approved for the purpose by the Minister, as the provider of the mechanism to transfer funds between:
    - (i) parties to a Transaction; or
    - (ii) parties to a Transaction and AEMO; and
  - (c) AEMO operates the Reallocation Facility only for Transactions in relation to which:
    - (i) all of the parties to the Transaction are either a Market Customer, a Market Generator or Market Network Service Provider; and
    - (ii) each party to the Transaction is a Wholesale Client.
6. This exemption applies for so long as the following conditions are met:
  - (a) AEMO notifies ASIC, as soon as practicable and in writing of each of the following:
    - (i) any proposed change to the Reallocation Procedure, and of any proposed change to the NER that may have the effect of changing the Reallocation Procedure;

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- (ii) any enforcement or disciplinary action taken against AEMO by the AER related to the operation of the Reallocation Facility;
  - (iii) if AEMO issues a default notice under the NER to any party to a Transaction because that party has failed to meet its obligations in relation to any Transaction;
  - (iv) if AEMO draws on the Credit Support as a result of any party to a Transaction failing to meet its obligations in relation to any Transaction;
  - (v) if AEMO becomes aware that a user of the Reallocation Facility becomes an externally-administered body corporate; or
  - (vi) of any matter that AEMO considers may adversely affect or has adversely affected the fair or effective operation of the Reallocation Facility; and
- (b) within three months of the end of its financial year, AEMO must submit an annual report to ASIC that:
- (i) sets out the extent to which AEMO operated the Reallocation Facility in accordance with paragraphs 5(a), (b) and (c) of this Notice and the extent to which AEMO has complied with the conditions in paragraphs 6(a), (c), (d) and (e) of this Notice, during the financial year; and
  - (ii) provides the following information:
    - (A) the names of the parties registered with AEMO under the NER as users of the Reallocation Facility during the financial year; and
    - (B) the number and total value of Transactions (including a breakdown of this value to individual Transactions) registered and performed through the Reallocation Facility during the financial year; and
- (c) AEMO must give such assistance to ASIC, or a person authorised by ASIC, as ASIC or the authorised person reasonably requests in relation to the performance of ASIC's functions; and
- (d) prior to permitting a person to use the Reallocation Facility, AEMO must inform the person in writing that the Reallocation Facility is exempt from the operation of Part 7.3 of the Act, if AEMO has not done so previously; and
- (e) AEMO must comply with the terms of its written arrangement with ASIC for cooperation with ASIC in matters to which this Notice relates.



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**Interpretation****7. In this Notice:**

*Act* means the *Corporations Act 2001*.

*AEMO* means Australian Energy Market Operator Limited (ACN 072 010 327).

*AER* means the Australian Energy Regulator established by section 44AE of the *Competition and Consumer Act 2010 (Cth)*.

*Credit Support* has the meaning given by the NER.

*Derivative* has the meaning given by section 761D of the Act.

*Licensed CS Facility* has the meaning given by section 761A of the Act.

*Market Customer* has the meaning given by the NER.

*Market Generator* has the meaning given by the NER.

*Market Network Service Provider* has the meaning given by the NER.

*NER* means the National Electricity Rules and has the meaning given by the Schedule to the *National Electricity (South Australia) Act 1996*.

*Reallocation Facility* means the facility for Transactions operated by AEMO under the Reallocation Procedure.

*Reallocation Procedure* means the reallocation procedure: "Reallocation Procedure: Swap & Option Offset Reallocations" initially made on 4 May 2011 by AEMO under clause 3.15.11A of the NER, as amended and in effect from time to time.

*Transaction* means a reallocation transaction of the kind permitted under the Reallocation Procedure.

*Wholesale Client* has the meaning given by section 761A of the Act.



Australian Government

Takeovers Panel

16-0130

**CORPORATIONS ACT  
SECTION 657A  
DECLARATION OF UNACCEPTABLE CIRCUMSTANCES**

**THE PRESIDENT'S CLUB LIMITED 02**

**CIRCUMSTANCES**

1. The President's Club Ltd (TPC) is an unlisted company with more than 50 members. Its capital is divided into 7,488 ordinary shares and 5 subscriber shares (the subscriber shares having no right to vote, to dividends or to participate in the net assets of the company on winding up).
2. Coeur de Lion Investments Pty Ltd (CDLI), a wholly owned subsidiary of Coeur de Lion Holdings Pty Ltd (CDLH), owns 3,107 ordinary voting shares in TPC (approximately 41.4%).
3. On or about 1 July 2011:
  - (a) Palmer Coolum Leisure Pty Ltd (PLC, formerly Queensland North Australia Pty Ltd) acquired 98% of the shares in CDLH and
  - (b) Closeridge Pty Ltd acquired 2% of the shares in CDLH. PLC and Closeridge Pty Ltd are companies associated with Mr Clive Palmer.
4. Accordingly, under section 608(3)(a) of the *Corporations Act 2001* (Cth) (the Act), or alternatively section 608(3)(b) of the Act, PLC acquired a relevant interest in the shares in TPC in which CDLI had a relevant interest. None of the exceptions in section 611 of the Act applied and the acquisition occurred in contravention of section 606 of the Act.
5. It appears to the Panel that the circumstances of the acquisition that occurred in contravention of section 606 are unacceptable:
  - (a) having regard to the effect that the Panel is satisfied the circumstances have had, are having, will have or are likely to have on:
    - (i) the control, or potential control, of TPC or
    - (ii) the acquisition, or proposed acquisition, by a person of a substantial interest in TPC and
  - (b) having regard to the purposes of Chapter 6 set out in section 602 and
  - (c) because they constituted, constitute, will constitute or are likely to constitute a contravention of a provision of Chapter 6.

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6. Additionally, between 13 and 19 March 2012, PLC acquired a further substantial interest in TPC, being 221 shares (2.9%), taking its relevant interest in TPC shares to approximately 44.4%. To the extent that the acquisition of these shares satisfied the terms of item 9 of section 611, it was only by reason of the acquisition that occurred in contravention of section 606.
7. It appears to the Panel that the circumstances of the acquisition of the further substantial interest in TPC made in reliance on item 9 are unacceptable having regard to:
  - (a) the effect that the Panel is satisfied the circumstances have had, are having, will have or are likely to have on:
    - (i) the control, or potential control, of TPC or
    - (ii) the acquisition, or proposed acquisition, by a person of a substantial interest in TPC and
  - (b) the purposes of Chapter 6 set out in section 602.
8. The Panel considers that it is not against the public interest to make a declaration of unacceptable circumstances. It has had regard to the matters in section 657A(3).

**EXTENSION OF TIME**

9. On 24 December 2015, the Federal Court of Australia granted the Panel an extension of time under section 657B of the Act.

**DECLARATION**

The Panel declares that the circumstances constitute unacceptable circumstances in relation to the affairs of The President's Club Limited.



Alan Shaw  
Counsel  
with authority of Peter Day  
President of the sitting Panel  
Dated 2 February 2016



Australian Government

Takeovers Panel

16-0131

**CORPORATIONS ACT  
SECTION 657D  
ORDERS**

**THE PRESIDENT'S CLUB LIMITED 02**

The Panel made a declaration of unacceptable circumstances on 2 February 2016.

**THE PANEL ORDERS**

1. The Associated Parties must not exercise, or allow the exercise of, voting rights that attach to more than 1,040 of the 3,328 shares in TPC in which at the date of this order any of them has a relevant interest.
2. If, notwithstanding order 1, for some reason any voting rights over more than 1,040 of the 3,328 shares in TPC in which at the date of this order any of the Associated Parties has a relevant interest are exercised, TPC must disregard such votes.
3. None of the Associated Parties may:
  - (a) take into account any relevant interest or voting power that any of them have, or have had, in shares in TPC that by reason of these orders cannot be voted when calculating the voting power referred to in Item 9(b) of s611<sup>1</sup> of a person six months before an acquisition exempted under Item 9 of s611 or
  - (b) rely on Item 9 of s611 earlier than six months after the date these orders come into effect. For avoidance of doubt, shares acquired in compliance with this order 3 may be voted.
4. In these orders the following terms have the corresponding meaning:
 

Associated Parties	CDLI, CDLH, Closeridge, PLC, Mr Clive Frederick Palmer and each of their respective associates
CDLH	Coeur de Lion Holdings Pty Ltd
CDLI	Coeur de Lion Investments Pty Ltd
Closeridge	Closeridge Pty Ltd
PLC	Palmer Leisure Coolum Pty Ltd, formerly Queensland North Australia Pty Ltd
TPC	The President's Club Limited

Alan Shaw  
Counsel

with authority of Peter Day  
President of the sitting Panel  
Dated 5 February 2016

<sup>1</sup> References are to the *Corporations Act 2001* (Cth) unless otherwise indicated

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**Australian Securities and Investments Commission**  
**Corporations Act 2001 — Subsections 601QA(1), 741(1), 911A(2), 992B(1),**  
**and 1020F(1) — Exemptions**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsections 601QA(1), 741(1), 911A(2), 992B(1) and 1020F(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 16-0135.

**Commencement**

3. This instrument commences on the date of its gazettal.

**Disclosure relief**

4. The Specified Persons do not have to comply with Part 6D.2, 6D.3 or Part 7.9 of the Act in relation to an offer of an eligible product to an eligible participant under the Plan.

*Personal advice given by advisers*

5. An eligible product offered under the Plan is exempt from section 1012A of the Act to the extent that section requires a person to give a Product Disclosure Statement for an eligible product to an eligible participant, provided the person has no reason to believe the Plan is not covered by this instrument.

**Licensing relief***General advice*

6. The Specified Persons do not have to comply with subsection 911A(1) of the Act in relation to the provision of a financial service consisting of general advice in connection with an offer of an eligible product to an eligible participant under the Plan.

*Dealing*

7. The Specified Persons do not have to comply with subsection 911A(1) of the Act in relation to the provision of any of the following financial services in relation to an offer of an eligible product to an eligible participant in connection with the Plan:
  - (a) issuing the eligible product;
  - (b) dealing in the eligible product where any acquisition by purchase or

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disposal of the eligible product by the Company or a related body corporate occurs either:

- (i) through a financial services licensee; or
  - (ii) outside this jurisdiction and through a person which is licensed or otherwise authorised to deal in financial products of that kind in the relevant place;
- (c) dealing in an interest in a managed investment scheme covered by paragraph 12 of this instrument.

*Custodial or depository services*

8. The Specified Persons do not have to comply with subsection 911A(1) of the Act in relation to the provision of any of the following financial services in relation to an offer of an eligible product to an eligible participant in connection with the Plan:
- (a) a custodial or depository service in relation to the eligible product where the body performs their duties in good faith and has sufficient resources to perform those duties; and
  - (b) dealing in the eligible product in the course of providing a custodial or depository service covered by paragraph (a).

*Hawking*

9. The Specified Persons do not have to comply with sections 736, 992A or 992AA of the Act in relation to making an offer of an eligible product to an eligible participant in the course of, or because of, an unsolicited meeting or telephone call held or made in connection with the Plan.

*Advertising*

10. The Specified Persons do not have to comply with section 1018A of the Act in relation to an advertisement or publication that advertises, or publishes a statement that is reasonably likely to induce eligible participants to acquire, an eligible product under the Plan.

*Managed investment scheme*

11. The Specified Persons do not have to comply with section 601ED of the Act in relation to the operation of a managed investment scheme relating to offers of eligible products to eligible participants in connection with the Plan.

**Conditions***Disclosure*

12. The Company and its related bodies corporate must each ensure that an offer of an

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eligible product to an eligible participant under the Plan is made in, or is accompanied by, an offer document.

*5% issue limit*

13. A Specified Person making an offer of an eligible product under the Plan to an eligible participant in reliance on this instrument must, at the time of making the offer, have reasonable grounds to believe that the number of underlying eligible products in a class of underlying eligible products that form part of the issued capital of the Company that have been or may be issued in any of the circumstances covered by the following paragraphs will not exceed 5% of the total number of underlying eligible products in that class on issue:
- (a) underlying eligible products that may be issued under the offer;
  - (b) underlying eligible products issued or that may be issued as a result of offers made at any time during the previous 3 year period under:
    - (i) the Plan; or
    - (ii) an ASIC exempt arrangement of a similar kind to the Plan.

*Loans*

14. A Specified Person making an offer of an eligible product under the Plan to an eligible participant, that involves a loan from the Company or a related body corporate to the eligible participant to acquire the product, must ensure that under the terms of the loan:
- (a) no fees or interest is payable; and
  - (b) the eligible participant is not liable to pay the lender for an amount greater than the cumulative value of the eligible products, held in their name, at the time the loan is repayable.

*FCPE structure*

15. The Company must take all reasonable steps to ensure that:
- (a) the Manager maintains written records on the administration of the FCPE including written records that identify the underlying eligible products held on an allocated basis for the specified eligible participant;
  - (b) the Manager and the Custodian do not levy any fees or charges for administering the FCPE that are payable directly by any eligible participant or out of the assets of the FCPE, other than reasonable disbursements including brokerage and tax levied or incurred in connection with the FCPE or fees and charges, as otherwise provided for in the Rules, or as the Company reasonably believes are authorised under the laws of France;

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- (c) the Manager does not, at its own discretion, exercise any voting rights attaching to any of the underlying eligible products held in the FCPE;
- (d) the FCPE does not hold more than 5% of the voting shares or voting interests in the Company where such holdings relate to employee incentive schemes of the Company or a related body corporate in reliance on this instrument;
- (e) the FCPE and Plan, at all times, are approved and regulated by the Relevant Agency; and
- (f) the Custodian complies with the laws of France.

*Regulation*

16. The Specified Persons must, at all times, comply with the Rules.
17. The Manager must, at all times, be approved by the Relevant Agency.
18. The Rules must not be modified or varied in any material respect that would adversely affect the rights and interests of eligible participants, unless:
  - (a) the Company reasonably believes that such modification or variation is required by the laws of France; or
  - (b) ASIC gives prior written notice to the Company that it does not object to the modification or variation.
19. The Company must notify ASIC as soon as practicable and, in any event, within 15 business days from the date it knew, or should reasonably have known, of the following notifiable matters:
  - (a) any significant change to the authorisation granted by the Relevant Agency relating to the operation of the FCPE, including any exemptions or other relief granted to any of the Specified Persons; and
  - (b) the details of each significant investigation, disciplinary or enforcement action against any of the Specified Persons.

*FCPE annual financial statements*

20. The FCPE annual financial statements must be audited annually.
21. If requested by an eligible participant at any time during the period the eligible participant is participating in the Plan, the Company must provide and make available at the registered office or principal place of business of Arkema Australia, during normal business hours or such other time as is agreed with the eligible participant:



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- (a) the most recent FCPE annual financial statements and accompanying auditors' report;
- (b) a copy of the Rules;
- (c) a copy of the offer document; and
- (d) a response to any other reasonable request for information.

*Redemption of eligible products*

- 22. Arkema Australia must accept notices, correspondence and service of process on behalf of each of the Specified Persons at its registered office or principal place of business.
- 23. Arkema Australia must forward any notice received from an eligible participant in connection with the Plan, including a notice relating to the buy-back or redemption of eligible products as provided for in the Rules, to the Manager without delay.
- 24. The Company must notify ASIC within 5 business days of:
  - (a) suspension or termination of the buy-back arrangements or redemption facilities of eligible products in the FCPE; or
  - (b) suspension of the quotation of the underlying eligible products of the Company on the eligible financial market.
- 25. The Company must maintain, at the registered office or principal place of business of Arkema Australia, a register of eligible participants who are participating in the Plan that includes details of:
  - (a) the names and addresses of each eligible participant;
  - (b) the extent of the holding of each eligible participant;
  - (c) the date at which the name of each eligible participant was entered in the register; and
  - (d) the date at which any eligible participant's interest ceased.

**ASIC power to request documents**

- 26. A Specified Person must, if requested by ASIC and in accordance with the request, make available to ASIC the offer document and all other accompanying information or documents given to eligible participants in connection with an offer that is made in reliance on this instrument, including:
  - (a) records relating to the issue or sale of and the buy-back or redemption of eligible products in the FCPE to or from eligible participants; and

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- (b) if any document is not in English, a translation of that document into English which must be a certified translation if requested by ASIC.

### Interpretation

27. In this instrument:

*able to be traded* has the meaning given by section 761A of the Act.

*Arkema Australia* means Arkema Pty Ltd (ACN 000 330 772).

*Company* means Arkema SA, a body registered in France and listed on the eligible financial market.

*Custodian* means the custodian of the FCPE from time to time (presently CACEIS Bank France, a body registered in France), which, by way of contract, acts for or on behalf of the Company in connection with an offer to an eligible participant under the Plan.

*eligible financial market* means the financial market specified in column 1 of Table A and, unless a contrary intention appears, is limited to the main board of that market.

*eligible participant* means, in relation to the Company or a related body corporate, a person specified in column 3 of Table A who is a resident in this jurisdiction.

*eligible product* means a financial product of the Company specified in column 2 of Table A.

*employee incentive scheme* means an arrangement under which a listed body or a related body corporate makes offers of financial products of the listed body to persons that is designed to support interdependence between the body and those persons for their long-term mutual benefit.

*FCPE* means the Fonds Commun de Placement D'entreprise , through its compartment "Arkema Actionariat International" (FCPE), approved by the Autorité des Marchés Financiers (AMF) on 3 May 2006, or the FCPE "Arkema Actionariat International Relais 2016", approved by the AMF on 8 December 2015, and its successor FCPEs that are formed on a temporary basis in order to make offers of eligible products to eligible participants under the Plan, governed by the Rules.

*FCPE annual financial statement* means the books of account maintained in respect of the activities of the FCPE (including the statement of assets and liabilities, balance sheet, income statement, together with the related notes) prepared in accordance with French accounting standards and the laws of France.

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

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

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**Manager** means the independent management company of the FCPE from time to time (presently Amundi, a body registered in the Paris Trade and Companies Registry, France under number 437 574 452), which, by way of contract with the Company, acts for or on behalf of the Company in connection with an offer to an eligible participant under the Plan.

**offer**, in relation to an eligible product, has a meaning affected by sections 700, 702, and 1010C of the Act and includes:

- (a) an offer to issue the eligible product;
- (b) an issue or grant of the eligible product;
- (c) an offer to transfer the eligible product;
- (d) a transfer of the eligible product; and
- (e) an offer to arrange for the issue or transfer of the eligible product.

**offer document**, in relation to an offer of eligible products under the Plan, means a document which includes, or is accompanied by, the following information, statements and explanations worded and presented in a clear, concise and effective manner:

- (a) prominent statements to the effect that:
  - (i) any advice given by any Specified Person in relation to eligible products offered under the Plan does not take into account an eligible participant's objectives, financial situation and needs;
  - (ii) eligible participants should consider obtaining their own financial product advice from a person who is licensed by ASIC to give such advice; and
  - (iii) the FCPE and Plan are regulated by the laws of France, and those laws differ from Australian laws;
- (b) either:
  - (i) a copy of the Rules; or
  - (ii) a summary of the Rules together with a statement that, at any time during the operation of the Plan, eligible participants may make a request to be given, without charge and within a reasonable time, a copy of the Rules;
- (d) general information about the risks of acquiring and holding an eligible product being offered under the Plan;
- (e) the acquisition price in Australian dollars or, where the acquisition price is to be worked out in the future under a formula, an explanation

## 16-0135

of how an eligible participant could calculate the acquisition price of the eligible products in Australian dollars were that formula applied at the date of the offer;

- (f) an explanation of how an eligible participant could, from time to time, ascertain the market price in Australian dollars of an underlying eligible product;
- (g) where the offer to an eligible participant under the Plan involves a loan from a Specified Person to an eligible participant to acquire the eligible product – a copy of the terms of the loan which includes the conditions, obligations and risks associated with the loan;
- (h) as the FCPE and the Plan are regulated by the laws of France, a brief description of the legal and practical effect (if any) this may have on the rights and ability of an eligible participant domiciled in Australia to make any claim or enforce any right arising out of or in connection with the offer of an eligible product;
- (i) an explanation of the nature of any special risks associated with cross-border investing, such as risks arising from foreign taxation requirements, foreign currency or time differences; and
- (j) details of how the Rules provide for any fees or charges for administering the FCPE that are payable directly by any eligible participant or out of the assets of the FCPE.

**Plan** means the Arkema Group Savings Plan, incorporating the Plan in respect of which the FCPE is established pursuant to the Rules, which is substantially in the same form as provided to ASIC on 27 January 2016.

**related body corporate** has the meaning given in section 50 of the Act.

**Relevant Agency** means the Autorité des Marchés Financiers, the French Market Authority.

**Rules** means the rules of the FCPE “Arkema Actionnariat International”, approved by the Autorité des Marchés Financiers (AMF) on 3 May 2006 or the FCPE “Arkema Actionnariat International Relais 2016”, approved by the AMF on 8 December 2015, and the rules of its successor FCPEs that are formed on a temporary basis, each as approved by the Relevant Agency and as amended from time to time.

**Specified Persons** means:

- (a) the Company;
- (b) the related bodies corporate of the Company;
- (c) the Custodian;

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- (d) the Manager; and
- (e) any person who, by way of contract between the person and the Company, acts for or on behalf of the Company in connection with an offer of an eligible product to an eligible participant under the Plan.

***underlying eligible product*** means an eligible product specified in paragraph (a) in column 2 of Table A.

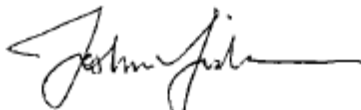
## 28. In this instrument:

- (a) except where otherwise stated, references to provisions are to provisions of the Act; and
- (b) an offer of eligible products to an eligible participant under the Plan on terms that the eligible participant may renounce the offer in favour of a person covered by one of the following paragraphs is to be treated as an offer of eligible products to the eligible participant:
  - (i) an immediate family member of the eligible participant;
  - (ii) a company whose members comprise no persons other than the eligible participant or immediate family members of the participant;
  - (iii) a corporate trustee of a self-managed superannuation fund (within the meaning of the *Superannuation Industry (Supervision) Act 1993*) where the eligible participant is a director of the trustee;
- (c) for the avoidance of doubt, a document or other writing to be given in connection with this instrument may be given by electronic means (including, in the case of a document or other writing to be given by a person relying on this instrument, by way of making it available on a website and notifying the intended recipient that it is available on the website).

**Where this instrument applies**

29. This instrument applies to offers of eligible products to eligible participants under the Plan made within 5 years of the commencement of this instrument.

Dated this 26<sup>th</sup> day of February 2016



Signed by Joshua Fisher  
as a delegate of the Australian Securities and Investments Commission

16-0135

**Table A**

Column 1 <b>Eligible financial market</b>	Column 2 <b>Eligible product</b>	Column 3 <b>Eligible participant</b>
Euronext Paris	<p>(a) a fully-paid share of the Company that is in a class of shares able to be traded on the eligible financial market;</p> <p>(b) unit in a financial product mentioned in (a);</p> <p>(c) a financial product that relates to a financial product mentioned in (a), where in relation to a product mentioned in paragraph (a):</p> <p>(d) the share is in the same class as shares which were able to be traded on the eligible financial market at all times in the 3 months before the day the offer document is first given to an eligible participant; and</p> <p>(e) the class of shares were not suspended for more than a total of 5 days during the shorter of the period during which the class of shares were able to be traded, and the period of 12 months before the day the offer document is first given to an eligible participant.</p>	<p>(a) a full-time or part-time employee (including an executive director);</p> <p>(b) a non-executive director.</p>

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 twenty-sixth day of February 2016

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

GENERAL REINSURANCE AG

001 122 130

NYX, LOS ANGELES INC.

164 916 107

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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 twenty-sixth day of February 2016

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

VALAD FIELDS HOLDING TRUST

**ARSN**

134 249 139

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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.

**ATHERTON RESOURCES LTD**

ACN 136 606 338 will change to a proprietary company limited by shares. The new name will be ATHERTON RESOURCES PTY LTD  
ACN 136 606 338.

**HUNTER FIELD CAPITAL PARTNERS PTY LTD**

ACN 149 074 037 will change to a public company limited by shares. The new name will be HUNTER FIELD CAPITAL PARTNERS LTD  
ACN 149 074 037.

**QUEENSLAND TELEVISION LTD.**

ACN 009 674 373 will change to a proprietary company limited by shares. The new name will be QUEENSLAND TELEVISION PTY LIMITED  
ACN 009 674 373.

**4DX PTY LTD** ACN 161 684 831 will change to a public company limited by shares. The new name will be 4DX LIMITED ACN 161 684 831.

**ECORP LIMITED** ACN 063 248 671 will change to a proprietary company limited by shares. The new name will be ECORP PTY LIMITED  
ACN 063 248 671.

**NBN LTD** ACN 000 232 486 will change to a proprietary company limited by shares. The new name will be NBN PTY LIMITED  
ACN 000 232 486.

**REISSI EMPIRE LTD** ACN 602 359 928 will change to a proprietary company limited by shares. The new name will be REISSI EMPIRE PTY LTD ACN 602 359 928.