



ASIC

Australian Securities &
Investments Commission

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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 or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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ASIC

Australian Securities & Investments Commission

ASIC Corporations (Repeal and Transitional) Instrument 2016/396

I, Grant Moodie, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 22 September 2016


Grant Moodie

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396*.

2 Commencement

This instrument commences on the later of:

- (a) the date of its gazettal; and
- (b) the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under paragraph 911A(2)(l) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Repeals

ASIC Class Order [CO 03/1099]

- 1 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 03/1100]

- 2 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 03/1101]

- 3 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 03/1102]

- 4 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 03/1103]

- 5 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 04/829]

- 6 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 04/1313]

- 7 The whole of the instrument**
Repeal the instrument.

Schedule 2—Savings

Transitional continuation of relief given by repealed ASIC Class Orders

1 Transitional licensing relief

- (1) An exemption specified in an ASIC Class Order specified in Schedule 1 as in force immediately before its repeal, continues to apply by force of this item, in the circumstances and on the conditions specified in relation to the exemption.
- (2) An exemption that continues to apply by force of subitem (1) applies provided any person relying on the exemption complies with any written notice given by ASIC directing the person to give to ASIC, within the time specified in the notice, a written statement containing specified information about the financial service business operated by the person in this jurisdiction.
- (3) Subitems (1) and (2) have effect for a period of 2 years commencing on the day this instrument commences.

16-0794

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 16-0794.

Commencement

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

Exemption

4. BetaShares Capital Ltd ACN 139 566 868 (*responsible entity*) in its capacity as the responsible entity for BetaShares Australian Small Companies Select Fund ARSN 613 693 431 (*Scheme*), an AQUA managed fund, does not have to comply with section 1017B of the Act.

Where this exemption applies

5. The exemption in paragraph 4 applies where interests in the Scheme remain admitted to Trading Status as a Managed Fund Product.

Conditions

6. The responsible entity must:
 - (a) comply with section 675 of the Act as if the Scheme were an unlisted disclosing entity; and
 - (b) include statements in any Product Disclosure Statement for the interests in the Scheme to the effect that the responsible entity will comply with the continuous disclosure requirements of the Act as if the Scheme were an unlisted disclosing entity.

Interpretation

7. In this instrument:

AQUA managed fund means a registered scheme with interests admitted to Trading Status as a Managed Fund Product on the financial market operated by

16-0794

ASX under the provisions of the operating rules of ASX relating to what is referred to in those rules as the AQUA market.

ASX means ASX Limited ACN 008 624 691.

Managed Fund Product has the same meaning as in the operating rules of ASX as at the date of this instrument.

Trading Status has the same meaning as defined in the ASX operating rules as at the date of this instrument.

Dated this 21st day of September 2016



Signed by Mai Go
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Repeal) Instrument 2016/810

I, Stephen Yen PSM, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date: 22 September 2016

A handwritten signature in black ink that reads "Stephen Yen".

Stephen Yen

ASIC Corporations (Repeal) Instrument 2016/810

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Part 1—Preliminary

1 Name of legislative instrument

This instrument is *ASIC Corporations (Repeal) Instrument 2016/810*.

2 Commencement

This instrument commences on the later of:

- (a) the date of its gazettal; and
- (b) the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under paragraphs 283GA(1)(a), 601QA(1)(a), 741(1)(a), 911A(2)(l), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in the Schedule to this instrument is repealed as set out in the applicable items in the Schedule.

5 Repeal of amending and repealing instruments

- (1) The repeal of an instrument by section 4 does not affect any amendment to or repeal of another instrument (however described) made by the instrument.
- (2) Subsection (1) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by section 4 of this instrument.

Schedule 1—Repeals**ASIC Class Order [CO 02/184]****1 The whole of the instrument**

Repeal the instrument.



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Repeal) Instrument 2016/819

I, Stephen Yen PSM, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date: 22 September 2016

A handwritten signature in black ink that reads "Stephen Yen".

Stephen Yen

ASIC Corporations (Repeal) Instrument 2016/819

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Part 1—Preliminary

1 Name of legislative instrument

This instrument is *ASIC Corporations (Repeal) Instrument 2016/819*

2 Commencement

This instrument commences on the later of:

- (a) the date of its gazettal; and
- (b) the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under paragraphs 283GA(1)(a), 601QA(1)(a), 741(1)(a), 911A(2)(l), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is repealed as set out in the applicable items in the Schedule.

5 Repeal of amending and repealing instruments

- (1) The repeal of an instrument by section 4 does not affect any amendment to or repeal of another instrument (however described) made by the instrument.
- (2) Subsection (1) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by section 4 of this instrument.

Schedule 1—Repeals**ASIC Class Order [CO 02/151]****1 The whole of the instrument**

Repeal the instrument.

16-0874

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

Enabling provision

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

Title

2. This instrument is ASIC Instrument 16-0874.

Commencement

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

Exemption

4. Clime Investment Management Limited ACN 067 185 899 (*CIW*) does not have to comply with Parts 6D.2 and 6D.3 of the Act.

Declaration

5. Chapter 6D of the Act applies to each holder of shares in Clime Private Limited ACN 614 090 309 (*Clime Private*) as if section 707 were modified or varied by omitting subsections 707(3), (4), (5) and (6).

Where this instrument applies

6. The exemption in paragraph 4 applies to invitations by CIW to vote at a general meeting on a capital reduction of CIW, and an in specie distribution of shares in Clime Private to holders of shares in CIW (*Demerger Proposal*), pursuant to a notice of meeting that:
 - (a) is in substantially the same form as the draft notice of meeting given to ASIC on 19 September 2016; and
 - (b) includes a statement:
 - (i) describing the need for, and the effect of, the relief contained in this instrument; and
 - (ii) that the notice of meeting is in substantially the same form as the draft notice of meeting given to ASIC on 19 September 2016.

16-0874

7. The declaration in paragraph 5 applies where:
- (a) a holder of shares in Clime Private makes an offer of shares (*Shares*) of Clime Private for sale;
 - (b) the Shares were transferred to a holder of shares in CIW, pursuant to the Demerger Proposal referred to in paragraph 6, within the previous 12 months; and
 - (c) the offer is not made within 12 months of a sale or transfer of the Shares by a person, other than CIW, who:
 - (i) controls Clime Private;
 - (ii) would have been required by subsection 707(2) of the Act to give disclosure to investors under Part 6D.2 of the Act but for section 708 of the Act; and
 - (iii) did not give disclosure to investors under Part 6D.2 of the Act because of section 708 of the Act.

Dated this 20th day of September 2016



Signed by Nathania Nero
as a delegate for the Australian Securities and Investments Commission



Corporations (Low Volume Financial Markets) Instrument 2016/888

I, Grant Moodie, delegate of the Minister for Revenue and Financial Services,
make the following legislative instrument.

Date 22 September 2016


Grant Moodie

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Part 1—Preliminary

1 Name of legislative instrument

This is the *Corporations (Low Volume Financial Markets) Instrument 2016/888*.

2 Commencement

This instrument commences on the later of:

- (a) 30 September 2016;
- (b) the date of its gazettal;
- (c) the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 791C(1) of the *Corporations Act 2001*.

4 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

low volume financial market means a financial market on which:

- (a) no more than 100 completed transactions are entered into; and
- (b) the value of the transactions entered into does not exceed \$1.5 million;

in the 12 month period commencing on the date the financial market was named in the register or any subsequent 12 month period.

register means the register of entities that is established and kept by ASIC for the purposes of section 791C of the Act in relation to low volume financial markets.

Part 2—Exemption

5 Exemption from the requirement to hold an Australian market licence

- (1) A low volume financial market whose operator is named on the register in relation to the market is exempt from the operation of Part 7.2 of the Act.
- (2) An operator of a low volume financial market must comply with the conditions in relation to the market.
- (3) A failure to comply with a condition does not have the effect that the market is not exempt from the operation of Part 7.2 of the Act.

Note: ASIC may remove from the register the name of an operator of a financial market and of the details in relation to the market. If ASIC takes such action, the financial market is no longer exempt from the operation of Part 7.2 of the Act from the day the name and details are removed.

6 Conditions

Operating a financial market

- (1) The operator must ensure that it and its associates:
 - (a) do not operate more than 2 financial markets to which this instrument applies; and
 - (b) do not operate a licensed market.

Financial products

- (2) The operator must ensure that the financial products able to be traded on the financial market satisfy the following:
 - (a) the financial products must be issued by the same person who must be either the operator or an issuer who has appointed the operator to operate the financial market;

Note: This paragraph applies to each financial market. If the operator operates 2 financial markets to which this instrument applies, the issuer of the financial products that are able to be traded on one market need not be the same as the issuer of the financial products that are able to be traded on the other market, provided those issuers are either the operator of the markets or an issuer who has appointed the operator.
 - (b) the financial products are of a kind mentioned in paragraphs 764A(1)(a), (b) or (ba) of the Act;
 - (c) the financial products are not able to be traded on a licensed market.

Facilities for execution of orders

- (3) The operator must ensure that the financial market does not have a mechanism for:
- (a) the automatic execution of orders; or
 - (b) the automatic formation of contracts between market users that enter into a transaction through the market.

Settlement service

- (4) The operator of the financial market must not handle the purchase money for the settlement of a transaction entered into through the market unless the operator holds an Australian financial services licence that authorises it to deal in the financial product to which the transaction relates.

Information to be given to new users

- (5) Before a person uses the financial market for the first time, the operator of the market must give a written notice to the person containing statements to the following effect:
- (a) the market is covered by an exemption under section 791C of the Act;
 - (b) the operator of the market is not licensed under Part 7.2 of the Act;
 - (c) the operator is not subject to the legal obligations that apply to the operator of a licensed market, including the requirement, to the extent that it is reasonably practicable to do so, to do all things necessary to ensure that the market is a fair, orderly and transparent market.

ASIC to be informed of changes to market

- (6) The operator of the financial market must inform ASIC, in writing, of any significant change to the operation of the market as soon as practicable after the change occurs.

Notifying ASIC about non-compliance with conditions

- (7) The operator of the financial market must notify ASIC in writing if the operator fails to comply with any of the conditions in this instrument. The operator must notify ASIC as soon as practicable after the operator becomes aware of the failure.

Assistance to ASIC

- (8) The operator of the financial market must comply with a request from ASIC to assist in monitoring and supervising compliance with the conditions, including giving ASIC a copy of any records about the

operation of the market and allowing ASIC access to any premises of a facility by means of which the market is conducted.

Annual report

- (9) The operator of the financial market must give a written report to ASIC within 45 days after each anniversary of the date it was named in the register which includes the following information:
- (a) the total number and total value (calculated by reference to sale price) of transactions carried out on the market in each month during the 12 months immediately before the date of the anniversary; and
 - (b) the number of users of the market in the 12 months immediately before the anniversary.



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Amendment and Repeal) Instrument 2016/895

I, Grant Moodie, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 19 September 2016

Grant Moodie

Grant Moodie

ASIC Corporations (Amendment and Repeal) Instrument 2016/895

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment and Repeal) Instrument 2016/895*.

2 Commencement

This instrument commences on the later of:

- (a) the date of its gazettal; and
- (b) the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under paragraph 911A(2)(l) and subsection 926A(2) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule.

Schedule 1—Amendment

ASIC Corporations (Financial Product Advice—Exempt Documents) Instrument 2016/356

1 At the end of Part 2

Add:

7 Self-dealers who provide general advice about own securities

An entity to which subsection 766C(4) of the Act applies does not have to comply with the requirement in subsection 911A(1) of the Act to hold an Australian financial services licence for the provision to wholesale clients of general advice that relates to securities, debentures, stocks or bonds of the entity and is contained in a document offering those securities, debentures, stocks or bonds for issue.

Schedule 2—Repeal**ASIC Class Order [CO 03/911]****1 The whole of the instrument**

Repeal the instrument.

**ASIC**

Australian Securities & Investments Commission

ASIC Corporations (Repeal) Instrument 2016/898

I, Stephen Yen PSM, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date: 19 September 2016

A handwritten signature in black ink that reads "Stephen Yen".

Stephen Yen

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Repeal) Instrument 2016/898*.

2 Commencement

This instrument commences on the later of:

- (a) the day after it is registered on the Federal Register of Legislation;
and
- (b) the day after it is gazetted.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under subsections 601QA(1), 741(1), 992B(1) and 1020F(1) and paragraph 911A(2)(1) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Repeal of amending and repealing instruments

- (1) The repeal of an instrument by a Schedule to this instrument does not affect any amendment to or repeal of another instrument (however described) made by the instrument.
- (2) Subsection (1) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by this section.

Schedule 1—Repeals

ASIC Class Order [CO 99/463]

- 1 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 02/182]

- 2 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 02/183]

- 3 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 02/185]

- 4 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 02/245]

- 5 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 02/303]

- 6 The whole of the instrument**
Repeal the instrument.

ASIC Class Order [CO 02/304]

- 7 The whole of the instrument**
Repeal the instrument.

ASIC Corporations (Repeal) Instrument 2016/898

*Schedule 1—
Repeals*

ASIC Class Order [CO 02/305]

8 The whole of the instrument

Repeal the instrument.

ASIC Class Order [CO 07/189]

9 The whole of the instrument

Repeal the instrument



ASIC

Australian Securities & Investments Commission

16-0906

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Credit Suisse Emerging Companies (Australia) Pty Ltd
ACN 166 141 573 ("the Licensee")
Level 31 Gateway
1 Macquarie Place
Sydney NSW 2000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 447422 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 22 September 2016

Signed

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

John Connor
A delegate of the Australian Securities and Investments Commission



16-0916

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Insight Pacific Group Pty Ltd ("the AFS Licensee")
ACN 160 086 126
Level 9
11-33 Exhibition Street
MELBOURNE VIC 3000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 439425 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this th 16 September 2016.

Signed

A handwritten signature in black ink that reads "James Nott". The signature is written over a horizontal dotted line.

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



16-0918

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Forte Private Wealth Pty Ltd ("the AFS Licensee")
ACN 146 427 947
Level 2
32 Martin Place
SYDNEY NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 414399 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 19 September 2016.

Signed

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

16-0919

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsections 601QA(1), 741(1), 926A(2),
992B(1) and 1020F(1) – Exemptions and Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsections 601QA(1), 741(1), 926A(2), 992B(1) and 1020F(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 16-0919.

Commencement

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

Disclosure relief

4. The Company or a related body corporate does 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 a Plan.
5. A holder of an underlying eligible product that makes a sale offer of that product within 12 months after the issue of the product does not have to comply with Part 6D.2, 6D.3 or Part 7.9 of the *Act* in relation to the sale offer where the product was issued or otherwise granted to an eligible participant under a Plan.

Personal advice given by advisers

6. An eligible product offered under a 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 relevant Plan is not covered by this instrument.

Licensing, hawking and other incidental relief*General advice*

7. The Company or a related body corporate does 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 a Plan.

16-0919

Dealing

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

9. The Company or a related body corporate does not have to comply with subsection 911A(1) of the Act in relation to the provision of the following financial services in relation to an offer of an eligible product to an eligible participant in connection with a 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;
 - (b) dealing in the eligible product in the course of providing a custodial or depository service covered by paragraph (a).

Hawking

10. The Company or a related body corporate does not have to comply with section 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 a Plan.

Advertising

11. The Company or a related body corporate does 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 a Plan.

16-0919*Managed investment scheme*

12. The Company or a related body corporate does 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 a Plan.

Conditions*Disclosure*

13. The Company and its related bodies corporate must ensure that an offer of an eligible product to an eligible participant under a Plan is made in, or is accompanied by, an offer document.

5% issue limit

14. The Company or a related body corporate in making an offer of an eligible product under a Plan to an eligible participant in reliance of 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) either Plan; or
 - (ii) an ASIC exempt arrangement of a similar kind to a Plan.

Contribution plans

15. The Company or a related body corporate in making an offer of an eligible product to an eligible participant under a Plan that involves a contribution plan:
- (a) must not allow an eligible participant to participate in the contribution plan unless the eligible participant has agreed in writing to the terms of the contribution plan;
 - (b) must not allow an eligible participant to participate in the contribution plan to acquire options or incentive rights;
 - (c) must ensure that any contributions (other than contributions in the form of future gross (before-tax) salary or wages or from a loan from the body or an related body corporate to an eligible participant) under the terms of the

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contribution plan which are to be used but have not yet been used to acquire underlying eligible products are held by or on behalf of the Company or a related body corporate on trust for eligible participants, in an account with an Australian ADI that is used solely in connection with the relevant Plan, whether the account is maintained in this jurisdiction or elsewhere;

- (d) must ensure that if underlying eligible products have been acquired using contributions made by an eligible participant under a contribution plan, the eligible participant has the right to:
 - (i) exercise, or to direct the holder of the underlying eligible products to exercise on their behalf, any voting rights attaching to the underlying eligible products; and
 - (ii) receive income deriving from the underlying eligible products, including dividends and distributions;
- (e) must ensure that an eligible participant may, by giving a notice to the Company or a related body corporate, discontinue their participation in the contribution plan, the discontinuance to take effect no more than 45 days after the giving of the notice; and
- (f) must ensure that if an eligible participant has discontinued their participation in the contribution plan, any contributions (other than contributions in the form of future gross (before-tax) salary or wages or from a loan from the body or an related body corporate to an eligible participant) under the terms of the contribution plan that have not been used to acquire underlying eligible products, are repaid to or as directed by the participant as soon as practicable after the participant has discontinued their participation in the contribution plan (such repayment including any accumulated interest (if any), less any tax).

ASIC power to request documents

16. The Company or a related body corporate 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 of this instrument.

Interpretation

17. In this instrument:

- (a) *able to be traded* has the meaning given by section 761A of the Act;

associate has the meaning given by Division 2 of Part 1.2 of the Act (except sections 12 and 16);

Company means The Trade Desk, Inc., a body registered in Delaware, United States of America and listed on an eligible financial market.

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contractor, in relation to the Company or a related body corporate, means:

- (a) an individual with whom the body has entered into a contract for the provision of services under which the individual performs work for the body; or
- (b) a company with whom the body has entered into a contract for the provision of services under which an individual, who is a director of the company or their spouse, performs work for the body;

where the individual who performs the work under or in relation to the contract is, or might reasonably be expected to be, engaged to work the number of hours that are the pro-rata equivalent of 40% or more of a comparable full-time position with the body;

contribution plan means a plan under which an eligible participant may make monetary contributions towards the acquisition of underlying eligible products from one or more of the following:

- (a) gross (before-tax) wages or salary;
- (b) net (after-tax) wages or salary;
- (c) other monies;

eligible financial market means a 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, in relation to the Company or a related body corporate, means a person specified in column 3 of Table A;

eligible product, in relation to the Company, means a financial product specified in column 2 of Table A;

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;

incentive right means a conditional right:

- (a) to acquire underlying eligible products;
- (b) to be paid a cash amount that is ultimately determined by reference to (wholly or in part):
 - (i) the price or value at a given time of the underlying eligible product to which the right relates;

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- (ii) a change in the price or value over a given period of the underlying eligible product to which the right relates;
 - (iii) the amount or value of dividends or distributions paid or payable in relation to the underlying eligible product to which the right relates;
or
 - (iv) a change in the amount or value over a given period of time of dividends or distributions paid or payable in relation to the underlying eligible product to which the right relates; or
- (c) to acquire or to be paid a combination of underlying eligible products and a cash amount as determined in accordance with paragraph (b);

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;
- (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 a 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 the Company or a related body corporate in relation to eligible products offered under the relevant 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 Company and the relevant Plan are regulated by the laws of the United States of America, and those laws differ from Australian laws;
- (b) either:

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- (i) a copy of the terms of the relevant Plan; or
 - (ii) a summary of the terms of the relevant Plan together with a statement that, on request and at no charge and within a reasonable time, the Company or a related body corporate will provide an eligible participant with a copy of the terms of the relevant Plan;
- (c) general information about the risks of acquiring and holding an eligible product being offered under the relevant Plan;
- (e) if the offer of an eligible product to an eligible participant under the relevant Plan involves a contribution plan—either:
- (i) a copy of the contribution plan; or
 - (ii) a summary of the terms of the contribution plan together with a statement that, on request and at no charge and within a reasonable time, the body will provide an eligible participant with a copy of the terms of the contribution plan;
- (g) the acquisition price of the eligible products in Australian dollars or, where the acquisition price is to be worked out in the future under a formula, an explanation 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;
- (h) an explanation of how an eligible participant could, from time to time, ascertain the market price of the underlying eligible products in Australian dollars;

Plan means The Trade Desk, Inc. 2016 Employee Stock Purchase Plan which is substantially in the same form as provided to ASIC on 13 September 2016;

prospective participant, in relation to an offer of an eligible product under a Plan, means a person to whom the offer is made but who can only accept the offer if an arrangement has been entered into that will result in the person becoming covered by one of paragraphs (a) to (c) of column 3 of Table A;

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

underlying eligible product means an eligible product specified in any of paragraphs (a) to (d) in column 2 of Table A;

- (b) an offer of eligible products to an eligible participant under a 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;

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- (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

18. This instrument applies to offers of eligible products to eligible participants under a Plan made within 3 months of the Company being admitted to quotation on the NASDAQ Global Market.

Dated this 19th day of September 2016



Signed by Sarah-Jane Farlow
as a delegate of the Australian Securities and Investments Commission

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Table A

Column 1 Eligible financial market	Column 2 Eligible product	Column 3 Eligible participant
(a) NASDAQ Global Market	<p>(a) a fully paid share of the Company that is in a class of shares able to be traded on an eligible financial market;</p> <p>(b) an option to acquire, by way of issue or transfer, a financial product mentioned in paragraph (a);</p> <p>(c) an incentive right granted in relation to a financial product mentioned in paragraph (a),</p> <p>where in each case in relation to a product mentioned in paragraphs (a) to (c) that is in a class of products that is able to be traded on an eligible financial market:</p> <p>(d) the product is in the same class as financial products which were able to be traded on the relevant financial market immediately before the offer document is first given to an eligible participant; and</p> <p>(e) the class of products were not suspended for more than a total of 5 days during the shorter of the period during which the class of products 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> <p>(c) a contractor;</p> <p>(d) a prospective participant.</p>

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AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

PART 9.4AA OF THE CORPORATIONS ACT
INFRINGEMENT NOTICE**To:**

Sanhe Building Materials Technology Company Limited ACN 606 280 219
Suite 402
368 Sussex Street
SYDNEY NSW 2000

TAKE NOTICE: The Australian Securities and Investments Commission (ASIC) hereby issues an Infringement Notice to Sanhe Building Materials Technology Company Limited ACN 606 280 219 (**Sanhe**) under subsection 1317DAC(1) of the *Corporations Act 2001* (**the Act**). This Infringement Notice requires Sanhe to:

- (i) pay a penalty to ASIC, on behalf of the Commonwealth, in the sum of \$33,000 (**the Penalty**).

This Infringement Notice is issued on **23 August 2016**.

DETAILS OF THE ALLEGED CONTRAVENTION**The Facts**

Sanhe is an Australian, non-operating holding company with subsidiaries located in Hong Kong and mainland China.

Sanhe's direct subsidiary is a non-operating intermediate company located in Hong Kong that owns Anhi Sanhi Concrete Co. Ltd (**Sanhe PRC**), which is the operating subsidiary of the group located in mainland China. Sanhe PRC specialises in the manufacture, sales and transportation of ready-mixed concrete.

Sanhe's internal monthly accounts for July, August and September 2015 show that Sanhe made losses of approximately \$395,296.16, \$228,047.27 and \$393,571.50 respectively for each of those months.

Sanhe was admitted to the official list of the Sydney Stock Exchange Limited (**SSX**) on 6 October 2015 and official quotation of Sanhe's securities commenced on 9 October 2015.

On 6 October 2015, Sanhe released financial reports for the year ended 31 December 2014 and interim reports for the half year ended 30 June 2015 on SSX by way of pre-quotation disclosure. Sanhe reported that its operating revenue had increased from the previous year by 2.9% to \$70,063,948 and net profit after income tax (**NPAT**) had also increased from the previous year to \$3,006,387, but disclosed a total loss of \$1,064,974

for the half year. Sanhe stated that the half year loss was attributable to the Spring holiday and the rainy season in China.

It would have been reasonable to expect that Sanhe was aware of its monthly results for July, August and September 2015 by 6 October 2015.

Consequently by 6 October 2015 Sanhe was aware that its operations had made large losses between January and September 2015.

By 6 October 2015, Sanhe was aware of the following information:

- it was likely that Sanhe's operating financial result for the full year period 1 January 2015 to 31 December 2015 would be materially lower than the operating financial result of the previous corresponding period, being 1 January 2014 to 31 December 2014

(the Information).

Sanhe later announced in a Quarterly Update on 1 February 2016 that its sales revenue had declined for the period 1 October 2015 to 31 December 2015 by 47% compared to the same quarter in 2014, due to *"the poor business environment and the downturn of the property market in China"*.

On 3 February 2016, Sanhe released its "2015 Full Year Market Update" on SSX for the full year 1 January 2015 to 31 December 2015 in which it announced sales revenue had declined 34% and net profit after tax had declined by 67% compared to the previous year.

The Contravention

This Infringement Notice has been issued because ASIC has reasonable grounds to believe that Sanhe contravened subsection 674(2) of the Act between 6 October 2015 and 3 February 2016, in that:

- (a) Sanhe is an entity to which subsection 674(2) of the Act applies.
- (b) By 6 October 2015, Sanhe was aware of the Information.
- (c) The Information was information that a reasonable person would expect, if it were generally available, to have a material effect on the price or value of securities of Sanhe, because information that its operating result for the full year ending 31 December 2015 would be likely to be materially lower than for the previous year, was significant information which would, or would be likely to, influence persons who commonly invest in securities in deciding whether to acquire or dispose of Sanhe shares.
- (d) SSX Listing Rule 11.1 required Sanhe to tell SSX of the Information on 6 October 2015.

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- (e) SSX Listing Rule 11.3 (the exception to SSX Listing Rule 11.1) did not apply to the Information because:
- (i) none of the matters listed in SSX Listing Rule 11.3 (a) applied to the Information; and
 - (ii) a reasonable person would have expected the Information to be disclosed to SSX.
- (f) Between 6 October 2015 and 3 February 2016, the Information was not generally available.

Compliance with the Infringement Notice

Sanhe may choose to comply with this Infringement Notice by paying the Penalty within the compliance period.

The compliance period for this Infringement Notice begins on 24 August 2016 and expires on 20 September 2016: subsection 1317DAH(1) of the Act. ASIC may extend the compliance period for this Infringement Notice once, by up to 28 days: subsection 1317DAH(3) of the Act. If this occurs ASIC will notify Sanhe in writing.

Effect of issue and compliance with the Infringement Notice

The issue of this Infringement Notice, and subsequent compliance with it, is not an admission of liability by Sanhe and cannot be regarded as a finding that Sanhe has contravened subsection 674(2) of the Act for any other purpose: subsection 1317DAF(4) of the Act.

ASIC cannot take civil or criminal proceedings against Sanhe for the alleged contravention specified in this Infringement Notice, either during the compliance period or after the Infringement Notice is complied with: subsection 1317DAF(5) of the Act. However, certain proceedings may be commenced or continued against Sanhe by third parties or by ASIC on behalf of third parties: section 1317DAF(6) of the Act.

Effect of failure to comply with the Infringement Notice

ASIC cannot enforce compliance with this Infringement Notice: section 1317DAF of the Act. However, if this Infringement Notice is not withdrawn in accordance with section 1317DAI of the Act, it is open to ASIC to take the following action against Sanhe:

- (a) ASIC may begin civil penalty proceedings against the entity under Part 9.4B of the Act seeking a declaration that Sanhe breached the provision specified in this Infringement Notice and a pecuniary penalty order. The size of the pecuniary penalty is not limited to the amount specified in the Infringement Notice. The Court may under Part 9.4B impose a maximum penalty in relation to the alleged contravention of up to \$1 million;

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- (b) ASIC may (if applicable) begin proceedings under s1324B of the Act seeking an order that specified information be disclosed in the manner required by this Infringement Notice;
- (c) ASIC may (if applicable) make an order under section 91 of the *Australian Securities and Investments Commission Act (the ASIC Act)* for recovery of expenses of its investigation into the breach specified in this Infringement Notice. ASIC can also bring proceedings to enforce that order; and
- (d) ASIC can make a determination under subsections 708A(2), 713(6), 1012DA(2) or 1013FA(3) of the Act, or accept an enforceable undertaking under section 93AA of the ASIC Act and bring proceedings to enforce the undertaking: section 1317DAG of the Act.

Certain other proceedings may also be commenced or continued against Sanhe by third parties or by ASIC on behalf of third parties: subsection 1317DAG(4) of the Act.

Withdrawal of infringement notice

ASIC may withdraw this Infringement Notice at any time prior to compliance if it considers it appropriate to do so. If this Infringement Notice is withdrawn, any enforcement action may be taken by ASIC against Sanhe, including:

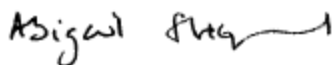
- (a) civil proceedings under Part 9.4B of the Act; or
- (b) a prosecution for an offence based on the provision specified in the notice.

Sanhe may seek the withdrawal of this Infringement Notice by making a written representation to ASIC: subsections 1317DAI(1) of the Act. Material provided to ASIC in such a representation is not admissible in evidence in proceedings against Sanhe or a representative of the company: subsections 1317DAI(2) of the Act.

Publication

If Sanhe complies with this Infringement Notice ASIC may publish details of Sanhe's compliance in the manner set out in subsections 1317DAJ(2) or (3) of the Act: subsection 1317DAJ(1) of the Act.

The provisions contained in Part 9.4AA of the Act are attached hereto as Annexure 1.



Abigail Sheppard
Delegate
Australian Securities and Investments Commission

ANNEXURE 1

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**Part 9.4AA—Infringement notices for alleged
contraventions of continuous disclosure provisions****1317DAA Definitions**

(1) In this Part:

compensation proceedings means:

- (a) proceedings under section 1317HA; and
- (b) proceedings under section 12GF of the ASIC Act in relation to a contravention of section 12DA of that Act; and
- (c) any other proceedings by a person for compensation for loss or damage suffered by the person.

compliance period for an infringement notice has the meaning affected by section 1317DAH.*contravention proceedings* means proceedings under section 1101B by a person referred to in paragraph 1101B(1)(b) or (d).*enforcement proceedings* means proceedings under section 793C by a person referred to in paragraph 793C(1)(b), (c) or (d).*infringement notice* means an infringement notice issued under section 1317DAC.*penalty and disclosure proceedings* means the proceedings referred to in column 3 of the table in subsection 1317DAG(2).*public interest proceedings* means proceedings under section 50 of the ASIC Act.

(2) For the purposes of applying this Part to a disclosing entity that is an undertaking to which interests in a registered scheme relate:

- (a) references to the disclosing entity are taken to be references to the responsible entity for the registered scheme; and
- (b) references to a financial report for a financial year being lodged by a disclosing entity are taken to be references to such a report being lodged by the responsible entity in relation to the scheme; and
- (c) references to securities of a disclosing entity are taken to be references to interests in the registered scheme; and
- (d) references to a disclosing entity being convicted of an offence based on subsection 674(2) or 675(2) are taken to be references to the responsible entity being convicted of such an offence in relation to the registered scheme; and
- (e) references to a civil penalty order under Part 9.4B being made against a disclosing entity in relation to a contravention of subsection 674(2) or 675(2) are taken to be references to such an order being made against the responsible entity in relation to the registered scheme; and
- (f) references to a disclosing entity having breached an enforceable undertaking given to ASIC under section 93AA of the ASIC Act in relation to the requirements of subsection 674(2) or 675(2) are taken to be

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references to the responsible entity having breached such an undertaking given in relation to the registered scheme.

1317DAB Purpose and effect of this Part

- (1) The purpose of this Part is to provide for the issue of an infringement notice to a disclosing entity for an alleged contravention of subsection 674(2) or 675(2) as an alternative to proceedings for civil penalties under Part 9.4B.
- (2) This Part does not:
 - (a) require an infringement notice to be issued to the disclosing entity for the alleged contravention of subsection 674(2) or 675(2); or
 - (b) affect the liability of the disclosing entity to civil or criminal proceedings in relation to the alleged contravention of subsection 674(2) or 675(2) if:
 - (i) an infringement notice is not issued to the disclosing entity for the alleged contravention; or
 - (ii) an infringement notice issued to the disclosing entity for the alleged contravention is withdrawn under section 1317DAI; or
 - (c) prevent a Court from imposing a higher penalty than the penalty specified in the infringement notice if the disclosing entity does not comply with the infringement notice.

1317DAC Issue of infringement notice

Issue of infringement notice

- (1) Subject to section 1317DAD, if ASIC has reasonable grounds to believe that a disclosing entity has contravened subsection 674(2) or 675(2), ASIC may issue an infringement notice to the disclosing entity.
- (2) ASIC issues the infringement notice to the disclosing entity by serving it on the disclosing entity.
- (3) ASIC must not issue more than one infringement notice to the disclosing entity for the same alleged contravention of subsection 674(2) or 675(2).

ASIC must have regard to certain matters

- (4) In determining whether to issue an infringement notice to a listed disclosing entity for an alleged contravention of subsection 674(2), ASIC must have regard to:
 - (a) any guidelines issued by the relevant market operator for the listed disclosing entity that relate to the provisions of the listing rules referred to in subsection 674(1); and
 - (b) any other relevant matter.

Infringement notice does not have effect

- (5) The infringement notice does not have any effect if the infringement notice:
 - (a) is issued more than 12 months after the day on which the contravention of subsection 674(2) or 675(2) is alleged to have occurred; or
 - (b) relates to more than one alleged contravention of subsection 674(2) or 675(2) by the disclosing entity.

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1317DAD Statement of reasons must be given*Statement of reasons*

- (1) Before issuing the infringement notice, ASIC must:
 - (a) give the disclosing entity a written statement that sets out ASIC's reasons for believing that the disclosing entity has contravened subsection 674(2) or 675(2); and
 - (b) give a representative of the disclosing entity an opportunity to:
 - (i) appear at a private hearing before ASIC; and
 - (ii) give evidence to ASIC; and
 - (iii) make submissions to ASIC;in relation to the alleged contravention of subsection 674(2) or 675(2).
- (2) If the disclosing entity is a listed disclosing entity, ASIC must consult with the relevant market operator for the disclosing entity before giving the disclosing entity the statement under this subsection.
- (3) ASIC does not need to consult the relevant market operator under subsection (2) if:
 - (a) the disclosing entity is the relevant market operator; or
 - (b) the disclosing entity conducts a business in competition with a business conducted by the relevant market operator.

Limit on the use of evidence or information given to ASIC

- (4) Evidence or information that a representative of the disclosing entity gives ASIC under paragraph (1)(b) in relation to the alleged contravention of subsection 674(2) or 675(2) is:
 - (a) not admissible in evidence against the disclosing entity in any proceedings; and
 - (b) not admissible in evidence against a representative of the disclosing entity in any proceedings (other than proceedings for an offence based on the evidence or information given being false or misleading).

1317DAE Matters to be included in infringement notice

- (1) The infringement notice:
 - (a) must state the day on which it is issued; and
 - (b) must state the name and address of the disclosing entity to whom it is issued; and
 - (c) must state that it is being issued by ASIC; and
 - (d) must state that ASIC may publish details of the disclosing entity's compliance with the infringement notice under section 1317DAJ if the disclosing entity complies with the notice; and
 - (e) must give details of the alleged contravention by the disclosing entity, including:
 - (i) the date of the alleged contravention; and
 - (ii) the particular provision that was contravened; and
 - (f) must state the maximum pecuniary penalty that a Court could impose under Part 9.4B in relation to the alleged contravention; and
 - (g) must specify the penalty that is payable in relation to the alleged contravention; and

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- (h) must state that the penalty is payable to ASIC on behalf of the Commonwealth; and
 - (i) if it is alleged that the disclosing entity contravened subsection 674(2)—may specify information that the disclosing entity must notify to the relevant market operator in accordance with the provisions of the listing rules referred to in subsection 674(1); and
 - (j) if it is alleged that the disclosing entity contravened subsection 675(2)—may require the disclosing entity to lodge a document with ASIC that contains specified information; and
 - (k) must explain the effect of sections 1317DAF, 1317DAG and 1317DAH; and
 - (l) must state that the disclosing entity may make written representations to ASIC seeking the withdrawal of the infringement notice; and
 - (m) must contain any other matters that are prescribed in the regulations.
- (2) Subject to subsection (3), the penalty specified in the infringement notice under paragraph (1)(g) for an alleged contravention of subsection 674(2) is:
- (a) \$100,000 if the disclosing entity is a Tier 1 entity; or
 - (b) \$66,000 if the disclosing entity is a Tier 2 entity; or
 - (c) \$33,000 if the disclosing entity is a Tier 3 entity.
- (3) The penalty specified in the infringement notice under paragraph (1)(g) for an alleged contravention of subsection 674(2) is:
- (a) \$100,000 if the disclosing entity is a Tier 2 entity; or
 - (b) \$66,000 if the disclosing entity is a Tier 3 entity;
- if:
- (c) the disclosing entity has at any time been convicted of an offence based on subsection 674(2) or 675(2); or
 - (d) a civil penalty order under Part 9.4B has at any time been made against the disclosing entity in relation to a contravention of subsection 674(2) or 675(2); or
 - (e) the disclosing entity has at any time breached an enforceable undertaking given to ASIC under section 93AA of the ASIC Act in relation to the requirements of subsection 674(2) or 675(2).
- (4) Subject to subsection (5), the penalty specified in the infringement notice under paragraph (1)(g) for an alleged contravention of subsection 675(2) is \$33,000.
- (5) The penalty specified in the infringement notice under paragraph (1)(g) for an alleged contravention of subsection 675(2) is \$66,000 if:
- (a) the disclosing entity has at any time been convicted of an offence based on subsection 674(2) or 675(2); or
 - (b) a civil penalty order under Part 9.4B has at any time been made against the disclosing entity in relation to a contravention of subsection 674(2) or 675(2); or
 - (c) the disclosing entity has at any time breached an enforceable undertaking given to ASIC under section 93AA of the ASIC Act in relation to the requirements of subsection 674(2) or 675(2).
- (6) For the purposes of this section:
- (a) a disclosing entity is:
 - (i) a *Tier 1 entity* if its market capitalisation on the relevant day exceeds \$1,000 million; and

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- (ii) a *Tier 2 entity* if its market capitalisation on the relevant day exceeds \$100 million but does not exceed \$1,000 million; and
 - (iii) a *Tier 3 entity* if its market capitalisation on the relevant day does not exceed \$100 million or it is not possible to work out its market capitalisation on the relevant day because it has not lodged a financial report with ASIC before the relevant day; and
 - (b) the *relevant day* for an infringement notice is the last day of the financial year in relation to which the latest financial report by the disclosing entity has been lodged with ASIC before the infringement notice is issued.
- (7) This is how to work out a disclosing entity's *market capitalisation* on the relevant day:
- (a) for each class of security of the disclosing entity that is a quoted security:
 - (i) work out the closing price, on the relevant day, for securities in that class on the prescribed financial market on which the securities are quoted; and
 - (ii) multiply that price by the number of securities in that class on issue on the relevant day (as shown in the financial report lodged with ASIC for the period that ends on the relevant day); and
 - (b) add up the amounts obtained under paragraph (a): the result is the disclosing entity's market capitalisation on the relevant day.
- Disregard quoted securities of the disclosing entity that are options.

1317DAF Effect of issue and compliance with infringement notice

Circumstances in which this section applies

- (1) This section applies if subsection (2) or (3) is satisfied.
- (2) This subsection is satisfied if:
 - (a) the compliance period for the infringement notice has not ended; and
 - (b) the infringement notice is not withdrawn under section 1317DAI; and
 - (c) subsection (3) has not been satisfied.
- (3) This subsection is satisfied if, within the compliance period for the infringement notice, the disclosing entity:
 - (a) pays the penalty specified in the infringement notice; and
 - (b) either:
 - (i) if it is alleged in the infringement notice that the disclosing entity contravened subsection 674(2)—notifies the relevant market operator, in accordance with the provisions of the listing rules referred to in subsection 674(1), of any information specified in the infringement notice; or
 - (ii) if it is alleged in the infringement notice that the disclosing entity contravened subsection 675(2)—lodges any required document with ASIC that contains the information specified in the infringement notice.

Note: If this subsection is satisfied, ASIC must not withdraw the infringement notice, see section 1317DAI.

No contravention etc. by the disclosing entity

- (4) The disclosing entity is not, by reason only of subsection (3) being satisfied, regarded as:

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- (a) having contravened the provision specified in the infringement notice; or
- (b) having been convicted of an offence constituted by the same conduct that constituted the alleged contravention of the provision specified in the infringement notice.

No proceedings may be started etc.

- (5) Subject to subsection (6), no proceedings (whether criminal or civil) may be started or continued against the disclosing entity in relation to:
 - (a) the alleged contravention of the provision specified in the infringement notice; or
 - (b) an offence constituted by the same conduct that constituted the alleged contravention.
- (6) Subsection (5) does not apply to the following proceedings:
 - (a) compensation proceedings, contravention proceedings, enforcement proceedings and public interest proceedings that relate to the alleged contravention of the provision specified in the infringement notice;
 - (b) proceedings to enforce the following orders of a Court:
 - (i) an order made in relation to proceedings referred to in paragraph (a);
 - (ii) an order made under subsection 1335(2) in relation to proceedings referred to in paragraph (a) other than public interest proceedings;
 - (c) any other proceedings in respect of a breach of an order referred to in paragraph (b);
 - (d) an appeal to a Court against the following decisions or orders of a Court:
 - (i) a decision or order made in relation to proceedings referred to in paragraph (a);
 - (ii) a decision or order made under subsection 1335(2) in relation to the proceedings referred to in paragraph (a) other than public interest proceedings.
- (7) To avoid doubt, subsection (5) does not prevent ASIC from:
 - (a) making an order under section 91 of the ASIC Act; or
 - (b) bringing proceedings to enforce the order.

1317DAG Effect of failure to comply with infringement notice

Circumstances in which this section applies

- (1) This section applies if an infringement notice issued to a disclosing entity is not withdrawn under section 1317DAI.

Effect of failure to comply with infringement notice

- (2) If the disclosing entity fails to do a thing specified in column 2 of the following table within the compliance period for the infringement notice, the disclosing entity is liable to the proceedings specified in column 3 of the following table:

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Effect of failure to comply with infringement notice		
Column 1	Column 2	Column 3
Item	If the disclosing entity fails to:	the disclosing entity is liable to:
1	pay the penalty specified in the infringement notice	proceedings under Part 9.4B for: (a) a declaration of contravention; and (b) a pecuniary penalty order; in relation to the alleged contravention of the provision specified in the infringement notice.
2	notify the relevant market operator, in accordance with the provisions of the listing rules referred to in subsection 674(1), of any information specified in the infringement notice if it is alleged in the infringement notice that the disclosing entity contravened subsection 674(2)	proceedings for an order under section 1324B in relation to the alleged contravention of the provision specified in the infringement notice.
3	lodge any required document with ASIC that contains the information specified in the infringement notice if it is alleged in the infringement notice that the disclosing entity contravened subsection 675(2)	proceedings for an order under section 1324B in relation to the alleged contravention of the provision specified in the infringement notice.

No other proceedings may be started etc.

- (3) Subject to subsection (4), no other proceedings (whether criminal or civil) may be started or continued against the disclosing entity in relation to:
- the alleged contravention of the provision specified in the infringement notice; or
 - an offence constituted by the same conduct that constituted the alleged contravention.
- (4) Subsection (3) does not apply to the following proceedings:
- compensation proceedings, contravention proceedings, enforcement proceedings and public interest proceedings that relate to the alleged contravention of the provision specified in the infringement notice;
 - proceedings to enforce the following orders of a Court:
 - an order made in relation to penalty and disclosure proceedings;
 - an order made in relation to proceedings referred to in paragraph (a);
 - an order made under subsection 1335(2) in relation to penalty and disclosure proceedings;
 - an order made under subsection 1335(2) in relation to proceedings referred to in paragraph (a) other than public interest proceedings;
 - any other proceedings in respect of a breach of an order referred to in paragraph (b);
 - an appeal to a Court against the following decisions or orders of a Court:

16-0920

- (i) a decision or order made in relation to penalty and disclosure proceedings;
 - (ii) a decision or order made in relation to proceedings referred to in paragraph (a);
 - (iii) a decision or order made under subsection 1335(2) in relation to penalty and disclosure proceedings;
 - (iv) a decision or order made under subsection 1335(2) in relation to proceedings referred to in paragraph (a) other than public interest proceedings.
- (5) To avoid doubt, subsection (3) does not prevent ASIC from:
- (a) making a determination under subsection 708AA(3), 708A(2), 713(6), 1012DAA(3), 1012DA(2) or 1013FA(3) of this Act; or
 - (b) making an order under section 91 of the ASIC Act; or
 - (c) accepting an undertaking under section 93AA of the ASIC Act; or
 - (d) bringing proceedings to enforce the determination, order or undertaking.

1317DAH Compliance period for infringement notice

- (1) Subject to this section, the compliance period for an infringement notice is a period of 28 days beginning on the day after the day on which the infringement notice is issued.
- (2) ASIC may extend, by notice in writing, the compliance period for the infringement notice if ASIC is satisfied that it is appropriate to do so.
- (3) Only one extension may be given and the extension must not be longer than 28 days.
- (4) Notice of the extension must be given to the disclosing entity that was issued with the infringement notice.
- (5) A failure to comply with subsection (4) does not affect the validity of the extension.
- (6) If ASIC extends the compliance period for an infringement notice, a reference in this Act to the compliance period for an infringement notice is taken to be a reference to the compliance period as so extended.

1317DAI Withdrawal of infringement notice

Disclosing entity may seek withdrawal

- (1) If an infringement notice is issued to a disclosing entity, the disclosing entity may make written representations to ASIC seeking the withdrawal of the infringement notice.
- (2) Evidence or information that a representative of the disclosing entity gives ASIC in the course of making representations under subsection (1) is:
 - (a) not admissible in evidence against the disclosing entity in any proceedings; and
 - (b) not admissible in evidence against a representative of the disclosing entity in any proceedings (other than proceedings for an offence based on the evidence or information given being false or misleading).

16-0920

Withdrawal

- (3) Subject to subsection (4), ASIC may withdraw the infringement notice (whether or not the disclosing entity has made representations seeking the withdrawal) if ASIC is satisfied that it is appropriate to do so.
- (4) ASIC must not withdraw the infringement notice if subsection 1317DAF(3) is satisfied.

Withdrawal notice

- (5) The withdrawal must be made by notice in writing and must be given to the disclosing entity.
- (6) The withdrawal notice must state:
- (a) the name and address of the disclosing entity; and
 - (b) the day on which the infringement notice was issued to the disclosing entity; and
 - (c) that the infringement notice is withdrawn; and
 - (d) that civil proceedings under Part 9.4B may be brought against the disclosing entity for a contravention of the provision specified in the infringement notice; and
 - (e) that a prosecution for an offence based on the provision specified in the infringement notice may be brought against the disclosing entity.

Refund of penalty

- (7) If:
- (a) the disclosing entity pays the penalty specified in the infringement notice; and
 - (b) the infringement notice is withdrawn after the disclosing entity pays the penalty;
- ASIC must refund to the disclosing entity an amount equal to the amount paid.

1317DAJ Publication in relation to infringement notices

- (1) If:
- (a) ASIC issues an infringement notice to a disclosing entity; and
 - (b) subsection 1317DAF(3) (compliance with the infringement notice) is satisfied;
- ASIC may publish details of the disclosing entity's compliance with the infringement notice under subsection (2) or (3) or under both of those subsections.
- (2) ASIC publishes details of the disclosing entity's compliance with the infringement notice under this subsection if it publishes a copy of the infringement notice in the *Gazette* together with the following statements:
- (a) a statement that the disclosing entity has complied with the infringement notice;
 - (b) a statement that compliance with the notice is not an admission of guilt or liability;
 - (c) a statement that the disclosing entity is not regarded as having contravened the provision specified in the notice.

16-0920

- (3) ASIC publishes details of the disclosing entity's compliance with the infringement notice under this subsection if:
- (a) ASIC issues a statement (whether written or oral) about the disclosing entity's compliance with the infringement notice; and
 - (b) the statement is limited to an accurate summary of the infringement notice including:
 - (i) the name of the disclosing entity; and
 - (ii) the amount of the penalty payable under the notice in relation to the alleged contravention; and
 - (iii) the conduct specified in the notice as the conduct in relation to which the infringement notice was issued;together with the following statements:
 - (iv) a statement that the disclosing entity has complied with the infringement notice;
 - (v) a statement that compliance with the notice is not an admission of guilt or liability;
 - (vi) a statement that the relevant disclosing entity is not regarded as having contravened the provision specified in the notice.
- (4) ASIC must not otherwise publish details of:
- (a) an infringement notice; or
 - (b) a disclosing entity's compliance with an infringement notice.
- Failure to comply with this subsection is not an offence.

Sanhe has complied with the Infringement Notice by paying the penalty of \$33,000. Compliance with the Infringement Notice by Rhinomed Ltd is not an admission of guilt or liability. Sanhe is not regarded as having contravened s674(2) of the Corporations Act 2001



16-0921

ASIC

Australian Securities & Investments Commission

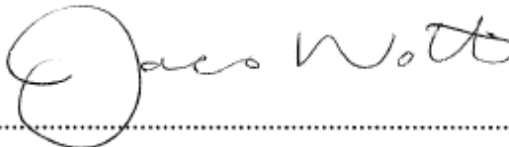
**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Flinders Energy Trading Pty Ltd ("the AFS Licensee")
ACN 094 183 749
Level 11
20 Bridge Street
SYDNEY NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 418920 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 19 September 2016.

Signed 

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



ASIC

Australian Securities & Investments Commission

16-0922

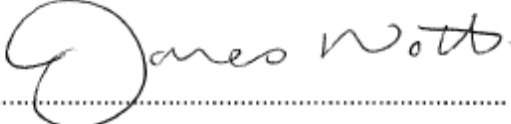
**Australian Securities and Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: PVE Actuarial Services Pty Ltd
ACN 003 084 919 ("the Licensee")
19 Cocupara Avenue
Lindfield NSW 2070

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 241256 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 20 September 2016

Signed 
.....

James Nott
A delegate of the Australian Securities and Investments Commission



16-0923

ASIC

Australian Securities & Investments Commission

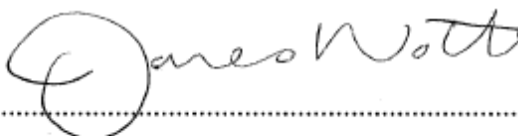
**Australian Securities & Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Flinders Energy Futures Trading Pty Ltd ("the AFS Licensee")
ACN 091 852 309
Level 11
20 Bridge Street
SYDNEY NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 418921 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 19 September 2016.

Signed 

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

16-0925

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 992B(1)(a) - Exemption**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 992B(1)(a) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 16-0925.

Commencement

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

Exemption

4. Cash Harvest Pty Ltd ACN 003 039 905 (*Company*) does not have to comply with section 989B of the Act for the financial year ended 30 June 2016 (*Relevant Financial Year*).

Where this instrument applies

5. This instrument applies where:
 - (a) the Company's Australian Financial Services Licence number 385604 was cancelled by ASIC under subsection 915B(3) of the Act by written notice dated 11 August 2016; and
 - (b) the Company did not carry on a financial services business of a kind that requires an Australian Financial Services Licence during the Relevant Financial Year.

Dated this 19th day of September 2016



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



16-0926

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: U-Nited Warranties Pty Ltd
ACN 082 521 033 ("the Licensee")
2 Lakewood Boulevard
Carrum Downs VIC 3201

Pursuant to section 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 312795 held by the Licensee, with effect from the date of this notice.

Dated *19 September 2016*

Signed

James Nott

A delegate of the Australian Securities and Investments Commission



16-0928

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Gain Capital Management Pty Ltd ("the AFS Licensee")
ACN 116 021 802
16 Hill Street
TOORAK VIC 3142

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 303693 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 19 September 2016.

Signed

A handwritten signature in cursive script that reads "James Nott". The signature is written over a horizontal dotted line.

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

16-0929

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 655A(1) – Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 655A(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 16-0929.

Commencement

3. This instrument commences on 19 September 2016.

Declaration

4. Chapter 6 of the Act applies to BBX Minerals Limited ACN 089 221 634 (*Target*) as if:
 - (a) item 10 of the table in subsection 635(1) of the Act was modified or varied by omitting the words “14 days” and substituting the words “26 days”; and
 - (b) item 13 of the table in subsection 635(1) of the Act was modified or varied by omitting the words “14 days” and substituting the words “28 days”.

Where this instrument applies

5. This instrument applies to the on-market takeover bid by Drake Private Investments LLC for all of the fully paid ordinary shares in the Target (*Bid*) where:
 - (a) a bidder’s statement was lodged with ASIC on 6 September 2016;
 - (b) the Target makes an announcement to ASX Limited ACN 008 624 691 (ASX), by 5.00pm (WST) on the date of this declaration:
 - (i) explaining the effect of this declaration;
 - (ii) recommending that shareholders in the Target take no action in relation to the Bid until they have considered the target’s statement;

16-0929

- (iii) stating that the target's statement will be provided to ASIC and ASX on or before 3 October 2016; and
- (iv) stating that the target's statement will be sent to Target shareholders on or before 4 October 2016.

Dated this 19th day of September 2016



Signed by Tashreen Tourabaly
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

16-0931

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

Notice of Cancellation of an Australian Financial Services Licence

TO: QIC Retail Pty Ltd
ACN 076 279 546 ("the Licensee")
Level 5, Central Plaza Two
66 Eagle Street
Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 298711 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated *19 September 2016*

Signed *James Nott*
.....

James Nott
A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

16-0933

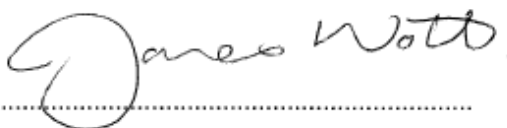
**Australian Securities and Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: QIC Investments No.1 Pty Ltd
ACN 122 462 775 ("the Licensee")
Level 5, Central Plaza Two
66 Eagle Street
Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 408747 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 19 September 2016

Signed 

James Nott
A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

16-0934

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

Notice of Cancellation of an Australian Financial Services Licence

TO: QIC Investments No.3 Pty Ltd
ACN 076 279 582 ("the Licensee")
Level 5, Central Plaza Two
66 Eagle Street
Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 419610 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 19 September 2016

Signed

James Nott

A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

16-0935

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

Notice of Cancellation of an Australian Financial Services Licence

TO: QIC Infrastructure Management No.2 Pty Ltd
ACN 135 625 286 ("the Licensee")
Level 5, Central Plaza Two
66 Eagle Street
Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 408742 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated *19 September 2016*

Signed *James Nott*

James Nott
A delegate of the Australian Securities and Investments Commission

16-0938

**Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 601QA(1) — Declaration**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 16-0938.

Commencement

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

Declaration

4. Chapter 5C of the Act applies to Macquarie Private Portfolio Management Limited ACN 089 987 388 (the *responsible entity*) in its capacity as the responsible entity of the Macquarie Separately Managed Account ARSN 121 968 143 (the *Scheme*) as if section 601FL of the Act 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;

16-0938

- (b) The notice to members must:
- (i) set out:
 - (A) the responsible entity's reason 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 website 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 within 21 days from the date the notice was 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 website current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur.

16-0938

- (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.
- (c) 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 (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:

16-0938

- (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

6. This declaration applies where Macquarie Investment Management Ltd ACN 002 867 003 has consented in writing to becoming the new responsible entity of the Scheme.
7. This instrument ceases to apply on 31 March 2017.

Dated this 20th day of September 2016.



Signed by Mai Go
as a delegate of the Australian Securities and Investments Commission

16-0941

**Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 283GA(1)(a), 601QA(1)(a), 741(1)(a),
911A(2)(l), 992B(1)(a) and 1020F(1)(a) —Revocation**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 283GA(1)(a), 601QA(1)(a), 741(1)(a), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001*.

Title

2. This instrument is ASIC Instrument [16-0941].

Commencement

3. This instrument commences on execution.

Revocation

4. ASIC Instrument [04/0024] dated 15 January 2004, in favour of CDPF Limited 067 995 448, is revoked.

Dated this 21st day of September 2016



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

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-third day of September 2016

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
BALMAIN (MMT) MORTGAGE TRUST	107 891 967
BALMAIN (MWMT) MORTGAGE TRUST	112 662 987
CLARITY MULTI STRATEGY RETAIL FUND	163 233 378
COLONIAL FIRST STATE - FIRSTCHOICE INVESTMENTS - SPECIALIST FUND 27	149 309 893
COLONIAL FIRST STATE - FIRSTCHOICE INVESTMENTS- GLOBAL RESOURCES LONG SHORT FUND	162 716 485
COLONIAL FIRST STATE - FIRSTCHOICE INVESTMENTS - COMMONWEALTH AUSTRALIAN SHARE FUND 33	168 562 543
COLONIAL FIRST STATE - FIRSTCHOICE INVESTMENTS - COMMONWEALTH AUSTRALIAN SHARE FUND 32	168 562 285
COLONIAL FIRST STATE - FIRSTCHOICE WHOLESALE INVESTMENTS - GLOBAL RESOURCES LONG SHORT FUND	162 717 982
COLONIAL FIRST STATE GLOBAL ASSET MANAGEMENT EQUITY TRUST 8	153 666 605
COLONIAL FIRST STATE GLOBAL ASSET MANAGEMENT EQUITY TRUST 4	134 829 379
COLONIAL FIRST STATE WHOLESALE ASIAN BOND FUND	125 562 736
COLONIAL FIRST STATE WHOLESALE GLOBAL RESOURCES LONG SHORT FUND	113 916 573
COMMONWEALTH AUSTRALIAN SHARE FUND 32	168 563 460
COMMONWEALTH AUSTRALIAN SHARE FUND 33	168 563 595
COMMONWEALTH SPECIALIST FUND 27	149 307 568
DOMAINE LAND FUND	110 845 273
METISQ CHINA SHARE FUND	110 771 474
METISQ GLOBAL EMERGING MARKETS FUND	090 850 418
METISQ WHOLESALE GLOBAL EMERGING MARKETS FUND	090 578 055

Name of Scheme

ARSN

PINNACLE ASIA EQUITY TRUST

093 490 585

CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this twenty-third day of September 2016

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

ALPMA ALPENLAND MASCHINENBAU GMBH	163 661 069
ASTBURY MARSDEN AND PARTNERS LIMITED	149 508 270
CAROLAN CAPITAL LIMITED	167 710 072
CORPRO SYSTEMS LIMITED	135 125 030
DATA COL NZ LIMITED	164 576 014
INTERNATIONAL POWER LTD.	076 861 704
KERRIDGE MIRRORS LIMITED	165 488 184
MAN OM-IP MULTISTRATEGY LIMITED	105 682 175
MAN OM-IP 16EIGHT LIMITED	115 445 282
MAN OM-IP 220 LIMITED	078 679 704
MAN SERIES 2 OM-IP 15SEVEN LIMITED	120 190 409
OMERAS GMBH	150 199 394
SEEBYTE LIMITED	159 956 411

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 twenty-third day of September 2016

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme

RETIREMENT VILLAGES TRUST

ARSN

127 682 811

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.

BUCQI EXCHANGE PTY LTD ACN 604 087 407 will change to a public company limited by shares. The new name will be **BUCQI EXCHANGE LIMITED** ACN 604 087 407.

LINKS HOPE ISLAND LAND LIMITED ACN 131 601 459 will change to a proprietary company limited by shares. The new name will be **LINKS HOPE ISLAND LAND PTY LIMITED** ACN 131 601 459.

SCHOOL OF HARMONIC STUDIES LIMITED ACN 111 190 937 will change to a proprietary company limited by shares. The new name will be **DELIGA PTY LIMITED** ACN 111 190 937.

SIMBLE SOLUTIONS PTY LTD ACN 608 419 656 will change to a public company limited by shares. The new name will be **SIMBLE SOLUTIONS LIMITED** ACN 608 419 656.

STI-GLOBAL LTD ACN 107 843 238 will change to a proprietary company limited by shares. The new name will be **ION NEXUS PTY LTD** ACN 107 843 238.