



ASIC

Australian Securities &
Investments Commission

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Contents

Notices under Corporations Act 2001

17-0018	17-0025	17-0038	17-0053
17-0054	17-0067		

Company/scheme deregistrations

Change of company type

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

17-0018

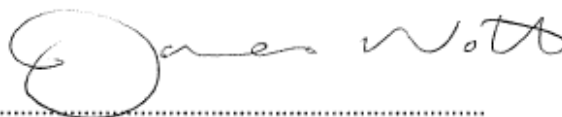
**Australian Securities and Investments Commission
Corporations Act 2001 Section 915B**

Notice of Cancellation of an Australian Financial Services Licence

TO: Baker Business Pty Ltd
ACN 087905137 ("the Licensee")
Shop 43 502 Hope Island Rd
Hope Island QLD 4212

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 244537 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 25 January 2017

Signed 

James Nott
A delegate of the Australian Securities and Investments Commission



17-0025

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: The Royal Bank of Scotland NV ("the AFS Licensee")
ABN 84 079 478 612
Level 23
88 Phillip Street
SYDNEY NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 238266 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 31st January 2017.

Signed

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

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

17-0038

**Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 926A(2) — Exemption**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-0038.

Commencement

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

Cessation

4. The exemption in paragraph 5 ceases to have effect on the earlier of:
 - (a) subitem 1(1) of Schedule 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396* ceasing to have effect in relation to the relief that was provided under ASIC Class Order [CO 04/1313]; or
 - (b) Commerzbank Aktiengesellschaft ARBN 140 073 801 (the **Body**) not complying with any written notice given by ASIC directing the Body 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 Body in this jurisdiction.

Exemption

5. ASIC exempts the Body from the requirement to hold an Australian financial services licence in the case referred to in Schedule A.

Schedule A

1. Where all of the following apply:
 - (a) the Body holds a German Banking Licence;
 - (b) the Body is a body corporate incorporated in Germany;
 - (c) the Body:
 - (i) is registered under Division 2 of Part 5B.2 of the Act; or
 - (ii) has not failed to have an Agent for any consecutive period of 10 business days;
 - (d) the Body's primary business is the provision of financial services;

17-0038

- (e) neither the Body nor its Agent has been notified by ASIC that the Body is excluded from relying on this instrument;
 - (f) if the Body becomes aware or should reasonably have become aware of matters that give it reason to believe that it has failed, other than in an immaterial respect, to comply with a requirement set out in Schedule B:
 - (i) 15 business days have not passed since the Body became so aware or should reasonably have become so aware without the Body providing full particulars of the failure to ASIC (to the extent that the Body knows those particulars or would have known them if it had undertaken reasonable enquiries); and
 - (ii) 30 business days have not passed from ASIC receiving those particulars from the Body without ASIC notifying the Body that it may continue to rely on this instrument; and
 - (g) the Body has not notified ASIC that it will not rely on this instrument.
2. Where the Body provides financial services in this jurisdiction by making a market for a financial product, on a licensed market operated by ASX, in respect of any of the following financial products:
- (a) derivatives;
 - (b) foreign exchange contracts;
 - (c) securities;
 - (d) debentures, stocks or bonds issued by a government;
 - (e) interests in a managed investment scheme that is not required to be registered under Chapter 5C of the Act;
 - (f) managed investment products;
 - (g) deposit-taking facilities that are not deposit products; or
 - (h) facilities through which a person makes non-cash payments.
3. Where the Body has provided ASIC with all of the following:
- (a) evidence that paragraph 1(a) of Schedule A is satisfied that ASIC has stated in writing is adequate;
 - (b) a notice that it will provide financial services in this jurisdiction in reliance on this instrument;
 - (c) a deed of the Body for the benefit of and enforceable by ASIC and the other persons referred to in subsection 659B(1) of the Act that applies notwithstanding that the Body may have ceased to rely, or never have relied, on this instrument, which provides that:

17-0038

- (i) the deed is irrevocable except with the prior written consent of ASIC; and
 - (ii) the Body submits to the non-exclusive jurisdiction of the Australian courts in legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise; and
 - (iii) the Body covenants to comply with any order of an Australian court in respect of any matter relating to the provision of the financial services; and
 - (iv) if the Body is not registered under Division 2 of Part 5B.2 of the Act, service of process on the Body in relation to legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise can be effected by service on the Agent; and
 - (v) the Body covenants that, on written request of either BaFin or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist BaFin to disclose to ASIC and ASIC to disclose to BaFin any information or document that BaFin or ASIC has that relates to the Body;
- (d) written consents to the disclosure by BaFin to ASIC and ASIC to BaFin of any information or document that BaFin or ASIC has that relates to the Body (being consents in such form (if any) as ASIC specifies in writing).

Schedule B

1. The Body must provide the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the German regulatory requirements if the financial service were provided in Germany in like circumstances.
2. The Body must:
 - (a) notify ASIC, as soon as practicable and in any event within 15 business days after the Body became aware or should reasonably have become aware, and in such form if any as ASIC may from time to time specify in writing, of the details of:
 - (i) each significant change to, including the termination of, the German Banking Licence applying to the Body relevant to the financial services the Body provides or intends to provide in this jurisdiction; and
 - (ii) each significant particular exemption or other relief which the Body obtains from the German regulatory requirements relevant to the financial services the Body provides or intends to provide in this jurisdiction;

17-0038

- (iii) each action or investigation of the following kinds taken by BaFin or other overseas regulatory authority against the Body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
- (A) significant enforcement action;
 - (B) significant disciplinary action;
 - (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the Body is prohibited by law from giving such notification but only to the extent of the prohibition); and
- (b) have published on the Body's website in a reasonably accessible electronic location to persons who may seek information about the financial services statements, in English, to the effect that when the Body makes a market in Australia through a licensed market operated by ASX:
- (i) the Body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
 - (ii) the Body is regulated by BaFin under German laws, which differ from Australian laws.

Interpretation

In this instrument:

Act means the *Corporations Act 2001*.

address, in relation to a company, means the address of the registered office of the company.

Agent means a natural person resident in this jurisdiction or a company, whose name and address were last notified to ASIC by the Body for the purposes of this instrument, and who is authorised to accept on the Body's behalf, service of process from ASIC and, in relation to proceedings relating to a financial services law, from any person referred to in subsection 659B(1) of the Act.

ASX means ASX Limited ACN 008 624 691.

BaFin means the Bundesanstalt für Finanzdienstleistungsaufsicht of Germany.

German Banking Act means the Gesetz über das Kreditwesen of Germany.

German Banking Licence means a licence granted by BaFin under section 32 of the German Banking Act or deemed to be so granted under section 61 or section 64e of the German Banking Act.

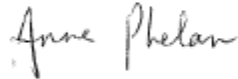
German regulatory requirements means the rules that apply in relation to the financial services including any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by BaFin.

notice and **notified** mean, respectively, written notice and notified in writing.

17-0038

overseas regulatory authority means a foreign regulatory authority (other than BaFin) which regulates financial services and which is established by or for the purposes of a foreign government or legislative body.

Dated this 2nd day of February 2017



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



ASIC

Australian Securities & Investments Commission

17-0053

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Sutherland Credit Union Limited
ACN 087 650 708 ("the Licensee")
Level 2, 670 Princes Highway
SUTHERLAND NSW 2232

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 238070 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated *25 January 2017*

Signed *John J. Connor*.....

John Connor
A delegate of the Australian Securities and Investments Commission



17-0054

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: NORTH FINANCIAL ADVISORS PTY LTD
ACN 137 201 444 ("The Licensee")
14 Waterloo Road
NORTH EPPING NSW 2121

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 454 714 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated 27 January 2017

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

Signed

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

17-0067

**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 [17-0067].

Commencement

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

Declarations

4. Chapter 6 of the Act applies to CIMIC Group Investments Pty Limited ACN 126 876 953 (*Bidder*) as if subsection 633(1B) of the Act, as notionally inserted by ASIC Class Order [CO 13/521], was further modified or varied by:

- (a) omitting the words “the date of the bid” (twice occurring); and
- (b) substituting “a date that is no more than 3 trading days prior to the date of the bid”.

Note: ASIC Class Order [CO 13/521] notionally inserts subsection 633(1B) of the Act.

Where this instrument applies

5. This instrument applies to an off-market takeover bid made by the Bidder for all of the fully paid ordinary shares in Macmahon Holdings Limited ACN 007 634 406 (*Target*) that the Bidder does not already own where:
 - (a) the Bidder sends an updated bidder’s statement and offer document to holders of securities in the Target under item 6 of the table in subsection 633(1) of the Act that includes:
 - (i) the information required by subsection 636(1)(h), for the period of 4 months before a date that is no more than 3 trading days prior to the date of the bid; and
 - (ii) the information required by subsections 636(1)(k) and (l), as at a date that is no more than 3 trading days prior to the date of the bid; and

17-0067

- (b) on the next trading day after the date of the bid, the Bidder lodges with ASIC and sends to ASX and the Target a supplementary bidder's statement that includes:
- (i) the information required by subsection 636(1)(h), for the period of 4 months before the date of the bid; and
 - (ii) the information required by subsections 636(1)(k) and (l), immediately before the date of the bid.

Interpretation

6. In this instrument:

ASX means ASX Limited ACN 008 624 691;

bidder's statement means the bidder's statement in relation to the takeover bid by the Bidder for all of the ordinary shares in the Target lodged with ASIC on 24 January 2017; and

date of the bid means the date on which offers are first made under the bid.

Dated this 2nd day of February 2017



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

CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this third day of February 2017

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

SMALL WORLD DESIGN NZ LIMITED

169 952 452

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.

ASSIST FINANCE CORPORATION LIMITED

ACN 007 604 631 will change to a proprietary company limited by shares. The new name will be ASSIST FINANCE CORPORATION PTY LTD ACN 007 604 631.

OLIVER HUME PROPERTY FUNDS (LEAKES RD) BRIDGEWATER PTY LTD ACN 143 997 451 will change to a public company limited by shares. The new name will be OLIVER HUME PROPERTY FUNDS (LEAKES RD) BRIDGEWATER LTD ACN 143 997 451.

JR RESTAURANTS AUSTRALIA PTY LTD

ACN 613 528 484 will change to a public company limited by shares. The new name will be JR RESTAURANTS AUSTRALIA LTD ACN 613 528 484.

TASMANIAN SEEDS LIMITED ACN 089 737 306 will change to a proprietary company limited by shares. The new name will be TASMANIAN SEEDS PTY LTD ACN 089 737 306.