



ASIC

Australian Securities &
Investments Commission

Commonwealth of Australia Gazette

No. A42/17, Tuesday, 26 September 2017

Published by ASIC

ASIC Gazette

Contents

Notices under Corporations Act 2001

17-0701	17-0769	17-0777	17-0784	17-0791	17-0843	17-0844
17-0845	17-0848	17-0850	17-0851	17-0852	17-0855	17-0858

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.

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

Available from www.asic.gov.au
Email gazette.publisher@asic.gov.au

© Commonwealth of Australia, 2017

This work is copyright. Apart from any use permitted under the *Copyright Act 1968*, all rights are reserved. Requests for authorisation to reproduce, publish or communicate this work should be made to: Gazette Publisher, Australian Securities and Investment Commission, GPO Box 9827, Melbourne Vic 3001



ASIC

Australian Securities & Investments Commission

17 - 0701

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Domaine Property Funds Limited
ACN 085 616 824 ("the Licensee")
GPO Box 3119
Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) if body corporate of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 225131 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 19 September 2017

Signed 

Kim Demarte
A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

17-0769

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

Notice of Cancellation of an Australian Financial Services Licence

TO: ESTATE OF THE LATE TONY CHARTRES ("the Licensee")
C/O- James Dimond
Macpherson Kelly
GPO Box 1666
Melbourne VIC 3000

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 305517 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 19 September 2017

Signed 

Kim Demarte
A delegate of the Australian Securities and Investments Commission

[17-0777]

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument [17-0777].

Commencement

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


Declaration

4. Chapter 6D of the Act applies to an offer for sale of ordinary shares in ePAT Technologies Limited ACN 146 035 127 (*ePAT*) as if paragraph 708A(5)(b) of the Act, was modified by deleting the words "5 days" and substituting the words "21 days".

Where this instrument applies

5. This instrument applies where ePAT:
 - (a) makes an offer for sale of ordinary shares to sophisticated and professional investors on or around 18 September 2017 which did not require disclosure under Part 6D.2 of the Act because of subsection 708(8) or subsection 708(11) of the Act; and
 - (b) ePAT has given ASX Limited ACN 008 624 691 a notice under paragraph 708A(5)(e) of the Act which complies with subsection 708A(6) of the Act.

Dated this 20th day of September 2017



Signed by Kyle Wright
as a delegate of the Australian Securities and Investments Commission

17-0784

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-0784.

Commencement

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

Disclosure relief*Offers made under an employee incentive scheme*

4. DowDuPont does not have to comply with Part 6D.2, 6D.3 or Part 7.9 of the Act in relation to the offer of an eligible product to an eligible participant under the Employee Incentive Scheme.
5. A trustee that holds or will hold underlying eligible products in connection with the Employee Incentive Scheme and which makes an offer of a unit in the underlying eligible product to an eligible participant does not have to comply with Part 6D.2, 6D.3 and Part 7.9 of the Act in relation to the offer of the unit.

Subsequent sale offers

6. 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, or was issued by reason of the exercise of vesting of an overlying eligible product issued or otherwise granted, to an eligible participant under the Employee Incentive Scheme.

Personal advice given by advisers

7. A financial services licensee or an authorised representative of a financial services licensee who gives financial product advice to an eligible participant in connection with an eligible product offered under the Employee Incentive Scheme does not have to comply with section 1012A of the Act in relation to

17-0784

the giving of such advice, provided the person has no reason to believe the Employee Incentive Scheme is not covered by this instrument.

Licensing and hawking relief

General advice

8. DowDuPont does not have to comply with subsection 911A(1) of the Act in relation to the provision of any financial service consisting of general advice in connection with the offer under the Employee Incentive Scheme.

Dealing

9. DowDuPont does not have to comply with subsection 911A(1) of the Act in relation to the provision of any of the following financial services in connection with an offer under the Employee Incentive Scheme:
 - (a) issuing the eligible product;
 - (b) dealing in the eligible product where any acquisition by purchase or disposal of the eligible product by DowDuPont 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.

Custodial or depository services

10. DowDuPont does not have to comply with subsection 911A(1) of the Act in relation to the provision of any of the following financial services in relation to an offer under the Employee Incentive Scheme:
 - (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

11. DowDuPont 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 the Employee Incentive Scheme.

17-0784

Advertising

12. DowDuPont 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 the Employee Incentive Scheme.

Conditions*Disclosure*

13. DowDuPont must ensure that an offer under the Employee Incentive Scheme covered by this instrument is made in, or accompanied by, an offer document.

Offer of overlying eligible products

14. DowDuPont must ensure that an offer of an overlying eligible product covered by this instrument which is not able to be traded on an eligible financial market is made for no more than nominal monetary consideration.

5% issue limit

15. DowDoPont must, at the time of making an offer under the Employee Incentive Scheme covered by this instrument, 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 DowDuPont 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 where the offer was covered by this instrument; or
 - (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 the Employee Incentive Scheme where the offers were covered by this instrument or made in reliance on another instrument made by ASIC in terms similar to this instrument.

Trusts

16. DowDuPont must ensure that, where a trustee holds or will hold the underlying eligible products in connection with an offer under the Employee Incentive Scheme covered by this instrument:
 - (a) the activities of the trustee of the trust in that capacity are limited to employee incentive schemes of DowDuPont (whether or not the other

17-0784

employee incentive schemes are covered by this instrument);

- (b) the trustee maintains written records on the administration of the trust including, in the case of underlying eligible products being held for a specified eligible participant on an allocated basis, written records that identify the underlying eligible products held on an allocated basis for the specified eligible participant;
- (c) the trustee does not levy any fees or charges for administering the trust that are payable directly by any eligible participant or out of the assets of the trust, other than reasonable disbursements including brokerage and tax levied or incurred in connection with the trust;
- (d) if the trustee is DowDuPont —the trustee does not, at its own discretion, exercise any voting rights attaching to any of the underlying eligible products that it holds on trust; and
- (e) the trustee, either alone or together with one or more other trustees, does not hold more than 5% of the voting shares or voting interests in DowDuPont calculated by reference to all employee incentive schemes in relation to which offers were made in reliance on this instrument or another instrument made by ASIC in terms similar to this instrument.

ASIC power to request documents

17. DowDuPont 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 under the Employee Incentive Scheme that is made in reliance on this instrument.

Interpretation

18. In this instrument:

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

casual employee, in relation to DowDuPont, means an individual who 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;

contractor, in relation to DowDuPont, 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

17-0784

- (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, in relation to a contribution plan, does not include:

- (a) nominal monetary consideration; or
- (b) a monetary contribution as consideration for an issue, transfer or grant of an eligible product to the eligible participant without undue delay (including a monetary contribution made to exercise an eligible product or cause an eligible product to vest);

contribution plan means a plan under which an eligible participant may make monetary contributions to acquire eligible products, whether made before or after the acquisition, from one or more of the following:

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

Dow means The Dow Chemical Company, a company incorporated under the laws of Delaware, United States of America;

DowDuPont means DowDuPont Inc., a company incorporated under the laws of Delaware, United States of America;

Dow Plan means either of:

- (a) The Dow Chemical Company 1988 Award and Option Plan which is substantially in the same form as provided to ASIC on 24 August 2017; and
- (b) the Dow Chemical Company Amended and Restated 2012 Stock and Incentive Plan which is substantially in the same form as provided to ASIC on 24 August 2017;

DuPont means E. I. du Pont de Nemours and Company, a company incorporated under the laws of Delaware, United States of America;

17-0784

DuPont Plan means any of:

(a) the 2007 E. I. du Pont de Nemours and Company Equity and Incentive Plan which is substantially in the same form as provided to ASIC on 29 August 2017; and

(b) the 2011 E. I. du Pont de Nemours and Company Equity and Incentive Plan which is substantially in the same form as provided to ASIC on 29 August 2017; and

(c) the 2016 E. I. du Pont de Nemours and Company Equity and Incentive Plan which is substantially in the same form as provided to ASIC on 29 August 2017;

eligible financial market means the New York Stock Exchange;

eligible participant, in relation to DowDuPont, means a person specified in column 2 of Table A:

eligible product means a financial product of DowDuPont specified in column 1 of Table A;

Employee Incentive Scheme means the arrangement under which eligible products are offered to eligible participants either:

(a) as a result of adjustments and/or conversion of offers previously made under the Dow Plan; or

(b) as a result of adjustments and/or conversion of offers previously made under the DuPont Plan;

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;

(ii) a change in the price or value over a given period of the

17-0784

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;

but does not include an issue, grant or transfer of an underlying eligible product made by reason of the exercise or vesting of an overlying eligible product in circumstances where an offer to issue or transfer the overlying eligible product had been previously made;

offer document, in relation to an offer of eligible products under the Employee Incentive Scheme, 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 DowDuPont in relation to eligible products offered under the Employee Incentive Scheme does not take into account an eligible participant's objectives, financial situation and needs; and

(ii) eligible participants should consider obtaining their own financial product advice from a person who is licensed by ASIC to give such advice;

17-0784

- (b) either:
 - (i) a copy of the terms of the relevant plan under the Employee Incentive Scheme; or
 - (ii) a summary of the terms of the relevant plan under the Employee Incentive Scheme 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 relevant plan under the Employee Incentive Scheme;
- (c) general information about the risks of acquiring and holding an eligible product being offered under the relevant plan under the Employee Incentive Scheme;
- (d) if:
 - (i) a trustee will hold underlying eligible products for specified eligible participants on an allocated basis in connection with the Employee Incentive Scheme; and
 - (ii) those eligible participants will have the right to:
 - (A) exercise, or direct the trustee to exercise on their behalf, any rights (including voting rights) attaching to the underlying eligible products; or
 - (B) receive income deriving from the underlying eligible products, including dividends or distributions;either:
 - (iii) a copy of the trust deed; or
 - (iv) a summary of the terms of the trust deed 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 trust deed;
- (e) if either of the plan under the Employee Incentive Scheme involves a contribution plan—either:
 - (i) a copy of the relevant contribution plan; or
 - (ii) a summary of the terms of the relevant contribution plan together with a statement that, on request and at no charge and within a reasonable time, the body will provide an eligible

17-0784

participant with a copy of the terms of the contribution plan;

- (f) if the relevant plan under the Employee Incentive Scheme involves a loan from DowDuPont to an eligible participant to acquire the product—a copy of the terms of the loan;
- (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;

overlying eligible product means an eligible product specified in any of paragraphs (c) to (e) in column 1 of Table A;

prospective participant, in relation to an offer under the Employee Incentive Scheme, 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 (d) of column 2 of Table A;

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

trustee means a body that holds underlying eligible products on behalf of an eligible participant under the Employee Incentive Scheme;

underlying eligible product means an eligible product specified in paragraphs (a) to (b) in column 1 of Table A;

- (b) an offer under the Employee Incentive Scheme on terms that the eligible participant may renounce the offer in favour of a person covered by one of the following paragraphs is to be treated as an offer of eligible products to the eligible participant:
 - (i) an immediate family member of the eligible participant;
 - (ii) a company whose members comprise no persons other than the eligible participant or immediate family members of the participant;
 - (iii) a corporate trustee of a self-managed superannuation fund (within the meaning of the *Superannuation Industry (Supervision) Act 1993*) where the eligible participant is a director of the trustee;

17-0784

- (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 DowDuPont, by way of making it available on a website and notifying the intended recipient that it is available on the website);
- (d) for the avoidance of doubt, an offer under the Employee Incentive Scheme is covered by this instrument to the extent that the offers are made in reliance on the instrument.

Dated this 30th day of August 2017



Signed by Shaw Nomura
as a delegate of the Australian Securities and Investments Commission

17-0784

Table A

Column 1 Eligible product	Column 2 Eligible participant
(a) a fully paid share of DowDuPont which is able to be traded on an eligible financial market;	(a) a full-time or part-time employee (including an executive director);
(b) a beneficial interest in a fully paid share of DowDuPont where the interest is in a class of interests that is able to be traded on an eligible financial market;	(b) a non-executive director;
(c) a unit in a financial product mentioned in paragraphs (a) to (b);	(c) a contractor;
(d) an option to acquire, by way of issue or transfer, a financial product mentioned in paragraphs (a) to (b);	(d) a casual employee;
(e) an incentive right granted in relation to a financial product mentioned in paragraphs (a) to (b).	(e) a prospective participant.



ASIC

Australian Securities & Investments Commission

**ASIC Corporations and Credit (Repeal)
Instrument 2017/791**

I, Anthony Graham, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 19 September 2017

A handwritten signature in black ink, appearing to read 'A. Graham'.

Anthony Graham

ASIC Corporations and Credit (Repeal) Instrument 2017/791

Contents

Part 1—Preliminary	3
1 Name of legislative instrument	3
2 Commencement	3
3 Authority	3
4 Schedules	3
Schedule 1— Repeals	4
ASIC Class Order [CO 03/1063]	4
ASIC Class Order [CO 11/926]	4
ASIC Credit (Financial Counselling Agencies) Instrument 2015/992	4

Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations and Credit (Repeal) Instrument 2017/791*.

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* and paragraphs 109(3)(a) and (d) of the *National Consumer Credit Protection Act 2009*.

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.

Schedule 1— Repeals**ASIC Class Order [CO 03/1063]**

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

ASIC Class Order [CO 11/926]

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

ASIC Credit (Financial Counselling Agencies) Instrument 2015/992

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

17-0843

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-0843.

Commencement

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

Declaration

4. Chapter 5C of the Act applies to Charter Hall WALE Limited ACN 610 772 202 (*CHW*) in its capacity as responsible entity of LWR Finance Trust ARSN 614 713 138 (the *scheme*), Charter Hall Direct Industrial Fund ARSN 144 613 641 and Franklin Street Property Trust ARSN 614 714 206 (the *other schemes*) as if the following provisions of that Chapter were modified or varied as follows:

- (a) after section 601FE insert:

“601FEA Modification of duties: stapled securities

- (1) This section applies to a registered scheme where the interests in the scheme and interests in another registered scheme or schemes are components of stapled securities.
 - (2) For the purposes of paragraphs 601FC(1)(c) and 601FD(1)(c), an obligation to act in the best interests of the members of the scheme is an obligation to act in the best interests of the members of the scheme having regard to their interests as members of the scheme and of the other schemes.
 - (3) For the purposes of paragraphs 601FC(1)(e), 601FD(1)(d) and 601FD(1)(c), and subsection 601FE(1), an obligation to not make use of information, or not make improper use of position, in order to cause detriment to the members of the scheme is an obligation not to do those things in order to cause detriment to the members of the scheme having regard to their membership of the scheme and the other schemes.”;
- (b) after subsection 208(2) as notionally inserted by section 601LC, insert:

17-0843

- “(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if all the following conditions are satisfied:
- (a) the benefit either:
 - (i) is given out of the scheme property of a registered scheme; or
 - (ii) could endanger the scheme property;
 - (b) all of the interests in the scheme and all of the interests in another registered scheme or schemes are components of stapled securities;
 - (c) the benefit is given by:
 - (i) the responsible entity of the scheme; or
 - (ii) an entity that the responsible entity controls; or
 - (iii) an agent of, or person engaged by, the responsible entity;
 - (d) the benefit is given to:
 - (i) an entity wholly owned, whether directly or indirectly, by the scheme; or
 - (ii) an entity that is wholly owned, whether directly or indirectly, by another registered scheme or schemes; or
 - (iii) an entity wholly owned, whether directly or indirectly, by one or more of the scheme and another registered scheme or schemes.
- (2B) For the purposes of this section:
- (a) an entity is wholly owned by another entity if all of the interests in the first-mentioned entity are held by, or form part of the trust property of the second-mentioned entity or a wholly owned entity of it; and
 - (b) a reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries.”;

17-0843

- (c) insert after section 601PC:

“601PD Stapled securities

For the purposes of this Chapter:

stapled securities means two or more financial products, including interests in registered schemes, where:

- (a) under the terms on which each of the financial products are to be traded, they must be transferred together; and
- (b) there are no financial products in the same class as those financial products which may be transferred separately.”.

Where this declaration applies

5. The declaration applies where each interest in the scheme must, under the terms upon which each is to be traded, only be transferred with each interest in each of the other schemes.

Dated this 18th day of September 2017



Signed by Jayaki Somasegaram
as a delegate of the Australian Securities and Investments Commission

17-0844

**Australian Securities and Investments Commission
Corporations Act 2001 — Paragraph 601QA(1)(a) — Exemption**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-0844.

Commencement

3. This instrument commences on 18 September 2017.

Exemption

4. Charter Hall WALE Limited ACN 610 772 202 (*CHW*) in its capacity as responsible entity of each of Charter Hall Direct Industrial Fund ARSN 144 613 641 (*DIF*) and CHPT Dandenong Trust ARSN 614 712 506 (*CHPTDT*) (together the *Schemes*) is exempt from complying with section 601FCAA of the Act.

Where this exemption applies

5. CHW as responsible entity of the Schemes holds legal title of the CHPTDT Scheme Property for the purpose of effecting the Simplification Trust Scheme as described in the Explanatory Materials.
6. CHW as responsible entity of the Schemes must do all things necessary to ensure:
 - (a) it identifies the CHPTDT Scheme Property, as far as reasonably practicable, as held on trust for CHPTDT Unitholders or DIF Unitholders as the case may be, during the Transfer;
 - (b) it holds the CHPTDT Scheme Property separate from property in which CHW has an interest and from the property of any other person or scheme except where CHW is exempted from holding the property separately under section 601QA and complies with the conditions of the exemption;
 - (c) its staff are segregated from persons performing other functions, in a way that minimises the potential conflict of interest, if a conflict of interest exists or might arise between:
 - (i) the duties of CHW staff; and
 - (ii) the interests served or advanced by persons who perform duties to make investment decisions, trading decisions or other

17-0844

discretionary decisions resulting in the transfer or disposal of scheme property or assets other than discretionary decisions in relation to holding a deposit account with a corporation that is regulated for the taking of deposits where the balance of the deposit is payable on demand and discretionary decisions relating to buying or selling foreign currency; and

- (d) if compliance with paragraph (6)(c) cannot be met, these functions are to be suspended for the duration upon which CHW relies on this instrument.

Where this exemption ceases to apply

7. This exemption ceases to apply on 19 September 2017.

Interpretation

8. In this instrument:

218 BRT means 218 Bannister Road Trust ARSN 614 712 588.

ASX means ASX Limited ACN 008 624 691 or the financial market operated by ASX Limited known as the Australian Securities Exchange.

Charter Hall Long WALE means Charter Hall Long WALE REIT, the stapled vehicle listed on the ASX comprising DIF, CHPTDT, CVLT1, 218 BRT, CPOF KHT, FSPT and LWR FT.

CHPTDT Scheme Property means the interests held by CHPTDT in the following unit trusts:

- (a) 26% holding of units in CH DC Fund, a trust established under the trust deed dated 9 November 2015; and
- (b) 100% holding of units in LWR Truganina Logistics Trust, a trust established under the trust deed dated 15 July 2016.

CHPTDT Unitholders means a member of CHPTDT.

CPOF KHT means CPOF Kogarah Holding Trust ARSN 614 714 073.

CVLTI means Canning Vale Logistics Trust No. 1 ARSN 614 713 012.

DIF Unitholders means a member of DIF.

Explanatory Materials means the explanatory memorandum and notice of meeting dated 18 August 2017 sent to holders of Charter Hall Long WALE in relation to the Simplification Trust Scheme which is substantially in the same form as that provided to ASIC on or around 17 August 2017.

FSPT means Franklin Street Property Trust ARSN 614 714 206.

LWR FT means LWR Finance Trust ARSN 614 713 138.

17-0844

Original Trusts means each of CHPTDT, CVLT1, 218 BRT, and CPOF KHT.

Simplification Trust Scheme means the proposed arrangement under which CHW in its capacity as the responsible entity of DIF will acquire all the interests in each of the Original Trusts in exchange for the issue of units in DIF, where the acquisition is approved by resolutions passed at the meeting of members of Charter Hall Long WALE under item 7 of section 611 of the Act.

The Trust Company means The Trust Company (Australia) Limited ACN 000 000 993 in its capacity as the duly appointed custodian of each of CHPTDT and DIF.

Transfer means the proposed transfer of CHPTDT Scheme Property from:

- (a) The Trust Company in its capacity as the custodian of CHPTDT to CHW in its capacity as responsible entity of CHPTDT;
- (b) CHW in its capacity as responsible entity of CHPTDT to CHW in its capacity as responsible entity of DIF; and
- (c) CHW in its capacity as responsible entity of DIF to The Trust Company in its capacity as the custodian of DIF;

for the purpose of effecting the Simplification Trust Scheme as set out in the Explanatory Materials.

Dated this 18th day of September 2017



Signed by Jayaki Somasegaram
as a delegate of the Australian Securities and Investments Commission

17-0845

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-0845.

Commencement

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

Declaration

4. Part 7.9 of the Act applies in relation to Charter Hall WALE Limited ACN 610 772 202 (*CHW*) in its capacity as responsible entity of LWR Finance Trust ARSN 614 713 138 (the *scheme*), Charter Hall Direct Industrial Fund ARSN 144 613 641, and Franklin Street Property Trust ARSN 614 714 206 (the *other schemes*) as if paragraph 1012D(3)(b) were modified or varied as follows:
 - (a) omit “either:”, and substitute “one or more of the following applies:”;
 - (b) in subparagraph (i) omit “or” (second occurring);
 - (c) in subparagraph (ii) omit “facility.”, and substitute “facility;”;
 - (d) after subparagraph (ii) insert:
 - “(iii) in a recommendation situation – the advice that constitutes the relevant conduct relates to an offer of managed investment products, under a plan for the reinvestment of at least one of the following:
 - (A) distributions in respect of the managed investment products;
 - (B) distributions in respect of other managed investment product which, under the terms on which they may be traded, must only be transferred together with the managed investment products;
 - (iv) in an issue situation – the offer or issue that constitutes the relevant conduct is an offer or issue of managed investment products, under a plan for the reinvestment of at least one of the following:

17-0845

- (A) distributions in respect of the managed investment products;
- (B) distributions in respect of other managed investment product which, under the terms on which they may be traded, must only be transferred together with the managed investment products.”.

Where this declaration applies

5. This declaration applies to offers or issues of, and recommendations to acquire, managed investment products in relation to the scheme or managed investment products in relation to the other schemes, under a plan for the reinvestment of distributions in respect of the schemes, where under the terms on which the managed investment products in relation to the scheme and the managed investment products in relation to the other schemes are to be traded, they must only be transferred together.

Dated this 18th day of September 2017

Signed by Jayaki Somasegaram
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Amendment and Repeal) Instrument 2017/848

I, Anthony Graham, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 21 September 2017

A handwritten signature in black ink, appearing to read 'A. Graham'.

Anthony Graham

ASIC Corporations (Amendment and Repeal) Instrument 2017/848

Contents

Part 1—Preliminary	3
1 Name of legislative instrument	3
2 Commencement	3
3 Authority	3
4 Schedules	3
Schedule 1—Amendments	4
ASIC Class Order [CO 13/760]	4
ASIC Class Order [CO 13/761]	4
Schedule 2—Repeal	6
ASIC Class Order [CO 07/74]	6

Part 1—Preliminary**1 Name of legislative instrument**

This is the *ASIC Corporations (Amendment and Repeal) Instrument 2017/848*.

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 911A(2)(l) and 926A(2)(c) 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 concerned.

Schedule 1—Amendments

ASIC Class Order [CO 13/760]

1 Paragraph 4 (after notional subsection 912AA(2))

Insert:

“(2A) This section applies to a financial services licensee (*manager*) that is covered by subsection (1) and holds an Australian financial services licence that:

- (a) authorises the manager to provide wholesale equity financial services (within the meaning of the *ASIC Corporations (Wholesale Equity Scheme Trustees) Instrument 2017/849 (ASIC Instrument)*); and
- (b) contains conditions to the effect of the conditions referred to in subparagraph 6(a)(ii) of the *ASIC Instrument*);

as if the assets, liabilities, cash inflows and cash outflows of any eligible trustee were included in the assets, liabilities, cash inflows and cash outflows of the manager.

(2B) In subsection (2A), *eligible trustee* means a person who is both:

- (a) an eligible trustee of a wholesale equity scheme (within the meaning of the *ASIC Instrument*);
- (b) a related body corporate of the manager.”.

ASIC Class Order [CO 13/761]

2 Paragraph 4 (after notional subsection 912AC(2))

Insert:

“(2A) This section applies to a financial services licensee (*manager*) that is covered by subsection (1) and holds an Australian financial services licence that:

- (a) authorises the manager to provide wholesale equity financial services (within the meaning of the *ASIC Corporations (Wholesale Equity Scheme Trustees) Instrument 2017/849 (ASIC Instrument)*); and

- (b) contains conditions to the effect of the conditions referred to in subparagraph 6(a)(ii) of the ASIC Instrument;

as if the assets, liabilities, cash inflows and cash outflows of any eligible trustee were included in the assets, liabilities, cash inflows and cash outflows of the manager.

- (2B) In subsection (2A), *eligible trustee* means a person who is both:

- (a) an eligible trustee of a wholesale equity scheme (within the meaning of the ASIC Instrument);
- (b) a related body corporate of the manager.”.

Schedule 2—Repeal

ASIC Class Order [CO 07/74]

1 The whole of the instrument

Repeal the instrument.

17-0850

**Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 708AA (3), 708A(2) and 713(6) —
Determination**

Pursuant to subsections 708AA(3) and 708(2) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission (ASIC) determines that sections 708AA and 708A of the Act do not apply to an offer of securities of the body specified in the Schedule from the date of this instrument until 17 September 2018.

Pursuant to subsection 713(6) of the Act, ASIC determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 17 September 2018.

Schedule

iBosses Corporation Limited ACN 604 571 119

Dated: 18 September 2017



Signed by Mark Egan
as a delegate of the Australian Securities and Investments Commission

17-0851

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument [17-0851].

Commencement

3. This instrument commences on 19 September 2017.

Exemption

4. A shareholder of Restaurant Brands who makes an offer of ordinary shares for sale (*sale offer*) within 12 months after their issue does not have to comply with subsection 707(3) of the Act where:
 - (a) at the time of the issue of the shares:
 - (i) Restaurant Brands was listed on the financial market operated by NZX Limited for a period of at least 3 months and was not listed on the financial market operated by ASX Limited; and
 - (ii) a notice that complied with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand was given to NZX Limited; and
 - (b) at the time of the sale offer, Restaurant Brands is listed on the financial market operated by ASX Limited as an foreign exempt listing.

Declaration

5. Chapter 6D of the Act applies in relation to Restaurant Brands as if the following provisions were modified or varied:
 - (a) in section 708A:
 - (i) in paragraph (1)(a) omit “(12A) or (12C),” and substitute “(12A), (12C) or (12G),”;

Note: ASIC Corporations (Non-Traditional Rights Issues) 2016/84 notionally inserted section 708A(12A) of the Act and ASIC Corporations (Sale Offers: Securities Issued on Conversion of Convertible Notes) 2016/82 notionally inserted section 708A(12C) of the Act.

17-0851

- (ii) in paragraph (1A)(a) omit "(5)," and substitute "(5) or (12G),"; and
- (iii) in subsection (12A) omit paragraph "(b)";
- (iv) after subsection (12F) insert:

"Sale offers of quoted securities: NZ foreign exempt listed body—case 6

- (12G) The sale offer of securities in a New Zealand foreign exempt listed body does not need disclosure to investors under this Part if:
- (a) trading in that class of securities on a prescribed financial market on which they were quoted was not suspended for more than a total of 5 days during:
 - (i) if this section applies because of subsection (1)— the shorter of the period during which the class of securities were quoted, and the period of 12 months before the day on which the relevant securities were issued; or
 - (ii) if this section applies because of subsection (1A)— the shorter of the period during which the class of securities were quoted, and the period of 12 months before the day on which the relevant securities were sold by the controller; and
 - (b) either:
 - (i) if this section applies because of subsection (1)— the body gives the relevant market operators for the body a notice that the body reasonably believes complies with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand (or would comply but for the omission of the statement required by subclause 20(2)(a)) before the sale offer is made; or
 - (ii) if this section applies because of subsection (1A)— both the body and the controller gives the relevant market operators for the body a notice that the body and the controller reasonably believe complies with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand (or would comply but for the omission of the statement required by subclause 20(2)(a)) before the sale offer is made; and

17-0851

- (c) the notice given under paragraph (b) states, in addition to any requirements of the *Financial Markets Conduct Regulations 2014* of New Zealand at the time the notice is given, that:
- (i) if this section applies because of subsection (1) – the body issued the relevant securities without disclosure to investors under this Part; or
 - (ii) if this section applies because of subsection (1A) – the controller sold the securities without disclosure to investors under this Part; and
 - (iii) the notice is being given under paragraph 708A(12G) as notionally inserted by instrument [17-0851];
 - (iv) as at the date of the notice, the body has complied with its obligations under rule 1.15.2 of the listing rules of ASX Limited.

In this subsection:

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

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

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

- (b) in section 708AA after paragraph (2)(f) insert:

“(2A) In this section, relevant market operator means both ASX Limited and NZX Limited”.

- (c) omit subsections 708AA(7) to (11), and substitute:

“(7) For a New Zealand foreign exempt listed body, a notice complies with this subsection if:

- (a) the body reasonably believes the notice complies with clause 20 of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand (or would comply but for the omission of the statement required by subclause 20(2)(a)); and
- (b) the notice states, in addition to any requirements of the *Financial Markets Conduction Regulations 2014* of New Zealand at the time the notice is given, that

17-0851

- (i) the body will offer the relevant securities for issue without disclosure under this Part;
- (ii) the notice is being given under paragraph (2)(f); and
- (iii) as at the date of the notice, the body has complied with its obligations under rule 1.15.2 of the listing rules of ASX Limited.

In this subsection:

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

- (a) listed on the financial market operated by NZX Limited; and
 - (b) listed on the financial market operated by ASX Limited as an exempt foreign listing.”.
- (d) in subsection 708AA(12) as notionally inserted by ASIC Corporations (Non-Traditional Rights Issues) 2016/84 omit subsection (a) and substitute:
- “(a) any information that would be excluded information under clause 20(5) of Schedule 8 of the *Financial Markets Conduct Regulations 2014* of New Zealand (as that clause exists on the date the notice is given) and that would need to be included in the notice if the notice had been given at that time and that has not been included in the notice or otherwise provided to the relevant market operator; or”.

Interpretation

6. In this instrument:

Restaurant Brands means Restaurant Brands New Zealand Limited (ARBN 617 145 507), a body incorporated under the *Companies Act 1993* of New Zealand.

Dated this 19th day of September 2017



Signed by Remziye Hussein
as a delegate of the Australian Securities and Investments Commission

17-0852

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-0852.

Commencement

3. This instrument commences on 21 September 2017.

Exemption

4. Commonwealth Bank of Australia ACN 123 123 124 (**CBA**), Commonwealth Insurance Holdings Limited ACN 088 327 959 (**CIHL**) and Colonial First State Group Limited ACN 004 405 556 (**CFSGL**) do not have to comply with subsection 734(2) of the Act.

Where this instrument applies

5. Subject to paragraph 6, this instrument applies to the following information communicated by CBA, CIHL or CFSGL to Employees:
 - (a) information alerting them to impending announcements about the Initial Public Offer
 - (b) information about the ways in which employees may participate in the Initial Public Offer;
 - (c) details of any employee share plan, employee option plan or employee incentive plan under which offers to employees may be made at or about the same time as the Initial Public Offer;
 - (d) information relating to:
 - i. the timetable for the Initial Public Offer, including updates to the timetable for the Initial Public Offer;
 - ii. changes which may be made to the structure and administration of CFSGL and its related body corporates at or around the same time as the Initial Public Offer;

17-0852

- iii. the appointment of management, executive officers and directors of CFSGL or a related body corporate and any changes to existing employment arrangements as they relate to the Employees; and
- iv. employment conditions, employment benefits and employee information that outlines ongoing treatment in the event of an Initial Public Offer.

Conditions

- 6. This exemption does not apply if, in communicating any of the information set out in paragraph 5 of this instrument, CBA, CIHL or CFSGL communicates any advantages, benefits or merits of the Initial Public Offer.

Cessation

- 7. This exemption shall remain effective, unless otherwise revoked, until the earlier of:
 - (a) the date on which CIHL and/or CFSGL or a related body corporate of either of them lodges a prospectus for the Initial Public Offer with ASIC; and
 - (b) 31 December 2018.

Interpretation

- 8. In this instrument:

Employees means employees of CBA or a related body corporate; and

Initial Public Offer means the potential initial public offer of fully paid ordinary shares in CFSGL or a related body corporate.

Dated this 21st day of September 2017



Signed by Rachel Howitt
as a delegate of the Australian Securities and Investments Commission

17-0855

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

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

Sirtex Medical Limited ACN 078 166 122
Level 33
101 Miller Street
North Sydney NSW 2060

TAKE NOTICE: The Australian Securities and Investments Commission (**ASIC**) hereby issues an Infringement Notice to Sirtex Medical Limited ACN 078 166 122 (**Sirtex**) under subsection 1317DAC(1) of the *Corporations Act 2001* (**the Act**). This Infringement Notice requires Sirtex to:

- (i) pay a penalty to ASIC, on behalf of the Commonwealth, in the sum of \$100,000 (**the Penalty**).

This Infringement Notice is issued on **23 August 2017**.

DETAILS OF THE ALLEGED CONTRAVENTION**The Facts**

Sirtex is an Australian global healthcare company whose main commercialised product is a targeted radiation therapy used to treat patients with inoperable liver cancer.

Sirtex' revenues were dependent on sales of its main product, known as SIR-Spheres® Y-90 resin microspheres (**SIR-Spheres**). Sales of SIR-Spheres were commonly referred to in Sirtex' financial statements and other reports as "dose" sales.

Sirtex was admitted to the official list of the ASX Limited (**ASX**) on 23 August 2000 and official quotation of its securities commenced on the same date.

From 2006 to 2016, Sirtex' total dose sales increased each year. For at least 10 years before the financial year ended 30 June 2017, dose sales increased by between 14% and 41.7%. For the five years before 30 June 2017, dose sales increased by an average of 19.2% every year.

On 24 August 2016, Sirtex announced its results for the financial year ended 30 June 2016 in a document titled "32.8% Increase in FY16 NPAT to \$53.6 Million" and in which it stated:

"We anticipate double digit dose sales growth will continue in FY17 whilst we await the results of the three major clinical studies due to report findings in the first half of calendar year 2017."

On 25 October 2016, Sirtex released to ASX its Chief Executive Officer's address and presentation to its Annual General Meeting, which included the following statement:

"We anticipate double digit dose sales growth will continue in FY17 whilst we await the results of the three major clinical studies due to report findings in the first half of calendar year 2017".

Directors and senior officers of Sirtex received a daily report, known as the Daily Global Sales Report, that contained up to date monthly regional and global actual dose sales figures by volume and value for the financial year, compared with those budgeted and in the previous corresponding periods.

On 21 November 2016, the directors and senior officers of Sirtex received a Daily Global Sales Report showing that dose sales (by volume) for the first four months of the 2017 financial year were only 5% ahead of the corresponding period in the previous year and were 7% below budget.

Accordingly, by 21 November 2016, Sirtex became aware of the following information:

- for the financial year ending 30 June 2017 worldwide first half dose sales growth was anticipated to be in the order of 4-6%, compared to growth in the prior corresponding period of 15.7%; and
- on a full year basis, worldwide dose sales growth was anticipated to be in the order of 5-11%, compared to growth of 16.4% in the financial year ended 30 June 2016

(the Information).

On 9 December 2016, Sirtex released a trading update on ASX in which it announced the Information.

The Contravention

This Infringement Notice has been issued because ASIC has reasonable grounds to believe that Sirtex contravened subsection 674(2) of the Act between 21 November 2016 and 8 December 2016, in that:

- (a) Sirtex is an entity to which subsection 674(2) of the Act applies.
- (b) By 21 November 2016, Sirtex 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 Sirtex, because information that the rate of growth in its dose sales

for the first half of the year and for the full year were anticipated 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 Sirtex' shares.

- (d) ASX Listing Rule 3.1 required Sirtex to tell ASX of the Information on 21 November 2016.
- (e) ASX Listing Rule 3.1A (the exception to ASX Listing Rule 3.1) did not apply to the Information because:
 - (i) A reasonable person would have expected the Information to be disclosed to ASX;
 - (ii) The Information ceased to be confidential;
 - (iii) None of the matters referred to in ASX Listing Rule 3.1A applied to the Information.
- (f) Between 21 November 2016 and 8 December 2016, the Information was not generally available.

Compliance with the Infringement Notice

Sirtex 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 2017 and expires on 20 September 2017: 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 Sirtex 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 Sirtex and cannot be regarded as a finding that Sirtex 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 Sirtex 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 by third parties or by ASIC on behalf of third parties: subsection 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 Sirtex:

- (a) ASIC may begin civil penalty proceedings against the entity under Part 9.4B of the Act seeking a declaration that Sirtex 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;
- (b) ASIC may (if applicable) begin proceedings under section 1324B 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 Sirtex 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 Sirtex, 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.

Sirtex 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 Sirtex or a representative of the company: subsections 1317DAI(2) of the Act.

Publication

If Sirtex complies with this Infringement Notice ASIC may publish details of Sirtex' 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

In accordance with s1317DAJ(2) the following statements need to accompany the published Infringement Notice:

Sirtex has complied with the Infringement Notice by paying the penalty of \$100,000.

Compliance with the Infringement Notice by Sirtex is not an admission of guilt or liability.

Sirtex is not regarded as having contravened s674(2) of the *Corporations Act 2001*.

Annexure 1**CORPORATIONS ACT 2001****SECT 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 references to the responsible entity having breached such an undertaking given in relation to the registered scheme.

SECT 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.

SECT 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.

SECT 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).

SECT 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
 - (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

- (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.

SECT 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:
 - (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.

SECT 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 1317DAL.

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:

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:

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:
		(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:

(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.

(4) Subsection (3) 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 penalty and disclosure proceedings;

(ii) an order made in relation to proceedings referred to in

paragraph (a);

- (iii) an order made under subsection 1335(2) in relation to penalty and disclosure proceedings;
 - (iv) 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 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.

SECT 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 for 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.

SECT 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).

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.

SECT 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.

(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.



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Repeal) Instrument 2017/858

I, Anthony Graham, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 22 September 2017

A handwritten signature in cursive script, appearing to read 'A. Graham'.

Anthony Graham

ASIC Corporations (Repeal) Instrument 2017/858

Contents

Part 1—Preliminary	3
1 Name of legislative instrument	3
2 Commencement	3
3 Authority	3
4 Repeal	3
5 Repeal of repealing instruments.....	3
Schedule 1—Repeal	4
ASIC Class Order [CO 02/238].....	4

Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Repeal) Instrument 2017/858*.

2 Commencement

This instrument commences on the later of:

- (a) the day 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 601QA(1)(a), 601QA(1)(b), 911A(2)(1), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001*.

4 Repeal

The 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 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—Repeal

ASIC Class Order [CO 02/238]

1 The whole instrument

Repeal the instrument.

CORPORATIONS ACT 2001
Section 601CL(5)

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

Dated this twenty-second day of September 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
ATLANTIC MANAGEMENT CENTRE INTERNATIONAL LIMITED	141 870 377
BUPA INVESTMENTS LIMITED	121 649 358
BUPA INVESTMENTS OVERSEAS LIMITED	121 649 303
CCI CORPORATION	136 610 618
GREENBIRD PROPERTIES LLP	612 907 310
HYUNDAI CAPITAL SERVICES, INC.	154 441 380
OLIVEBIRD PROPERTIES LLP	612 907 721
TEXTILE GALLERY COMPANY LIMITED	603 582 314

CORPORATIONS ACT 2001
Subsection 601CC(4)

ASIC has struck the registered Australian bodies listed below off the register.

Dated this twenty-second day of September 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN	
AUSTRALIAN ASSOCIATION OF OCCUPATIONAL THERAPISTS INCORPORATED		007 510 287

CORPORATIONS ACT 2001
Section 601CL(4)

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

Dated this twenty-second day of September 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
FONEBANK RECYCLING LIMITED	159 496 518
RELIGARE CAPITAL MARKETS (HONG KONG) LIMITED	140 313 499

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-second day of September 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
ADVANCE ALTERNATIVE STRATEGIES MULTI-BLEND FUND	151 294 647
ADVANCE GLOBAL ALPHA FUND	115 639 248
ALL STAR IAM AUSTRALIAN SHARE FUND	126 274 762
BAILLIE HIGH YIELD FUND	093 527 390
BAILLIE REIT FUND	146 651 569
BEACON INVESTMENT FUNDS ACCOUNT	091 410 981
COLONIAL FIRST STATE -FIRSTCHOICE INVESTMENTS - FIXED INTEREST FUND NUMBER 2	100 130 685
COLONIAL FIRST STATE GLOBAL ASSET MANAGEMENT EQUITY TRUST 9	153 666 703
COLONIAL FIRST STATE MORTGAGE INCOME FUND - ENTRY FEE OPTION	088 902 783
COLONIAL FIRST STATE MORTGAGE INCOME FUND - NIL ENTRY FEE OPTION	096 011 988
COLONIAL FIRST STATE WHOLESALE AUSTRALIAN CORPORATE DEBT FUND	093 878 221
COLONIAL FIRST STATE WHOLESALE INCOME FUND	087 406 942
COLONIAL FIRST STATE WHOLESALE POOLED MORTGAGE FUND	110 520 655
COLONIAL FIRST STATE WHOLESALE SOVEREIGN AUSTRALIAN BOND FUND	109 437 363
COMMONWEALTH CASH FUND 3	099 920 868
COMMONWEALTH GLOBAL SHARE FUND 31	603 277 167

COMMONWEALTH GLOBAL SHARE FUND 34	610 730 679
Name of Scheme	ARSN
COMMONWEALTH GLOBAL SHARE FUND 35	610 730 553
COMMONWEALTH GLOBAL SHARES FUND 2	099 913 612
COMMONWEALTH INTERNATIONAL FIXED INTEREST FUND 6	115 378 982
COMMONWEALTH PROPERTY SECURITIES FUND 10	113 916 760
COMMONWEALTH SPECIALIST FUND 37	604 604 784
COMMONWEALTH SPECIALIST FUND 40	604 604 748
COMMONWEALTH SPECIALIST FUND 8	108 230 851
DONALDSON BURSTON INTERNATIONAL SERIES - GROWTH AND VALUE FUND	124 496 840
FOLKESTONE REAL ESTATE INCOME FUND AT OXLEY	167 537 199
HEATHLEY KEYSTONE PROPERTY FUND NO.34	602 969 960
UBS DYNAMIC ALPHA STRATEGY FUND A (AUD)	124 992 865

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-second day of September 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme
ACTIVE REIT NO.1

ARSN
616 736 040

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.

ACCLAIM MANAGEMENT GROUP PTY LTD
ACN 091 082 058 will change to a public company limited by shares. The new name will be ACCLAIM MANAGEMENT GROUP LIMITED
ACN 091 082 058.

GLX HOLDINGS PTY LTD ACN 608 905 308 will change to a public company limited by shares. The new name will be GLX HOLDINGS LIMITED
ACN 608 905 308.

PLATX PTY LTD ACN 104 114 132 will change to a public company limited by shares. The new name will be PLATX LTD ACN 104 114 132.

DAISEE LIMITED ACN 618 989 549 will change to a proprietary company limited by shares. The new name will be DAISEE PTY LTD
ACN 618 989 549.

JOHN CURTAIN & ASSOCIATES PTY.
ACN 076 027 453 will change to a proprietary company limited by shares. The new name will be JOHN CURTAIN & ASSOCIATES PTY LTD
ACN 076 027 453.

VICTORY SERVICED OFFICES (HOLDINGS) PTY LTD ACN 616 150 022 will change to a public company limited by shares. The new name will be VICTORY SERVICED OFFICES (HOLDINGS) LIMITED ACN 616 150 022.