



ASIC

Australian Securities &
Investments Commission

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RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the *Corporations Act 2001* and the other legislation administered by ASIC may have rights of review. ASIC has published Regulatory Guide 57 *Notification of rights of review* (RG57) and Information Sheet *ASIC decisions – your rights* (INFO 9) to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at www.asic.gov.au or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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17-1014

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 655A(1)(a) – Exemption**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 17-1014.

Commencement

3. This instrument commences on 14 November 2017.

Exemption

4. CBS and its Controllers do not have to comply with section 606 of the Act.

Where this instrument applies

5. This instrument applies where:
 - (a) CBS and its Controllers acquire a relevant interest in the Shares as a result of the transfer of the Shares to CBS (or its nominee) on implementation of the Court Order and pursuant to the DOCA; and
 - (b) the Deed Administrators made available the Independent Expert's Report on the ASX market announcement platform, the Deed Administrators' website and the Ten website on 10 October 2017.

Interpretation

6. In this instrument:

CBS means CBS Network Ten B.V., a company incorporated in the Netherlands.

Controllers mean entities or persons who by operation of section 608 of the Act acquire a relevant interest in the Shares when CBS acquires a relevant interest in such Shares.

Court Order means the order of the Supreme Court of New South Wales dated 10 November 2017 under section 444GA of the Act, permitting the Deed Administrators to transfer the Shares.

Deed Administrators means Mark Korda, Jennifer Nettleton and Jarrod Villani of KordaMentha in their capacity as deed administrators of the Deed Companies pursuant to the DOCA.

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Deed Companies means:

- (a) Ten;
- (b) The Ten Group Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 057 564 708;
- (c) Network Ten Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 052 515 250;
- (d) Network Ten (Sydney) Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 008 664 962;
- (e) Network Ten (Brisbane) Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 050 148 537;
- (f) Network Ten (Melbourne) Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 008 664 953;
- (g) Network Ten (Perth) Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 009 108 614;
- (h) Network Ten (Adelaide) Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 007 577 666;
- (i) Caprice Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 008 655 847;
- (j) Chartreuse Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 008 655 874;
- (k) Television and Telecasters (Properties) Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 050 690 161;
- (l) Ten Online Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 089 829 667;
- (m) Ten Ventures Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 089 830 759;
- (n) Ten Employee Share Plans Pty Ltd (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 082 736 150.

DOCA means the deed of company arrangement between the Deed Companies, the Deed Administrators, and CBS dated 19 September 2017.

Independent Expert's Report means the independent expert's report dated 10 October 2017 prepared by Ian Jedlin and Sean Collins of KPMG Corporate Finance.

Shares means all the issued ordinary shares in Ten.

Ten means Ten Network Holdings Limited (subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 081 327 068.

Dated this 14th day of November 2017



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

Instrument 17-1017**NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001**

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 6 November 2017.

**Australian Securities and Investments Commission
Corporations Act 2001 section 915C****Notice of Suspension of Australian Financial Services Licence**

To: Mackellar Financial Services Pty Ltd
ACN 094 116 462

Under s915C(1) of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby suspends Australian financial services licence number 421288 held by Mackellar Financial Services Pty Ltd until 30 April 2018.

Dated this 31st day of October 2017.

Signed



Lisa Lu
Delegate of the Australian Securities and Investments Commission



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ASIC

Australian Securities & Investments Commission


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

Notice of Cancellation of an Australian Financial Services Licence

TO: Hindmarsh Partners Pty Ltd
ACN 613 015 802 ("The Licensee")
102 George Street
Norwood SA 5067

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 490115 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated: 13 November 2017

Signed 

Kim Demarte,
A delegate of the Australian Securities and Investments Commission

17-1030

**Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 601CK(7) — Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this declaration under subsection 601CK(7) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 17-1030.

Revocation

3. ASIC revokes ASIC Instrument 17-0860.

Commencement

4. This instrument commences on gazettal.

Declaration

5. Section 601CK does not apply to a2 Infant Nutrition Limited ARBN 618 864 958 (*a2 NZ*), a foreign company incorporated in New Zealand, in relation to a financial year ending on or after 30 June 2017 (*the relevant financial year*).

Where this instrument applies


6. This instrument applies where:
 - (a) a2 NZ is registered under Division 2 of Part 5B.2 of the Act; and
 - (b) a2 NZ is a wholly-owned subsidiary of The a2 Milk Company Limited ARBN 158 331 965 (*a2 Parent*), a foreign company incorporated in New Zealand and listed on the exchange operated by ASX Limited (*ASX*), at the end of the relevant financial year;
 - (c) a2 Parent is registered under Division 2 of Part 5B.2 of the Act;
 - (d) a2 NZ is not required by the law of the place of its incorporation or formation to prepare:
 - (i) a balance sheet at the end of the relevant financial year;
 - (ii) a profit and loss statement for the relevant financial year; or
 - (iii) a cash flow statement for the relevant financial year;
 - (e) a2 NZ has complied with section 6 of *ASIC Corporations (Wholly-owned Companies) Instrument 2016/785* as if a reference to "the

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company" is a reference to a2 NZ, a reference to "holding entity" is a reference to a2 Parent and a reference to "this instrument" is a reference to ASIC Instrument 17-1030, other than paragraphs (1)(a), (1)(f), (1)(l), (1)(s) and (1)(y);

7. a2 NZ has lodged a return in the form prescribed for the purposes of s601CK(9) of the Act with ASIC within the period set out in s601CK(10); and
8. the notes to the consolidated financial statements of a2 Parent in relation to a financial year ending on or after 30 June 2018 and in respect of which the declaration in this instrument applies, include details of the declaration.

Dated this 14th day of November 2017.



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

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NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 14 November 2017.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**VARIATION OF NOTICE OF SUSPENSION OF
AUSTRALIAN FINANCIAL SERVICES LICENCE**

To: Equititrust Limited ACN 061 383 944
65-67 Thomas Drive
Surfers Paradise QLD 4217

Under s915B of the Corporations Act 2001 the Australian Securities and Investments Commission varies the order referred to in ASIC Instrument 12-1682 (as modified by ASIC Instruments 14-1154, 15-1097 and 17-1007) by:

omitting "30 November 2017" in the first paragraph and substituting "30 November 2018".

Dated this 8th day of November 2017

Signed: 
Gai Di Bartolomeo
Delegate of the Australian Securities and
Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 655A(1)(b) and 673(1)(b) – Declaration**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 655A(1)(b) and 673(1)(b) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 17-1038.

Commencement

3. This instrument commences on 16 November 2017.

Declarations

4. Chapters 6 and 6C of the Act apply to Wagners Holding Company Ltd ACN 622 632 848 (*Listco or Company*) as if section 609 were modified or varied by, after subsection (13) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:
 - “(13A) A body corporate does not have a relevant interest in its own securities merely because the body corporate, under an escrow arrangement entered into or demerger deed to which it is a party, applies restrictions on the disposal of the securities by the holder.”.
5. Chapters 6 and 6C of the Act apply to Listco as if section 9 were modified or varied by, after subparagraph (a)(ii)(C) in the definition of *substantial holding* (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:
 - “or
 - (D) subsection 609(13A) (securities subject to escrow arrangement or demerger deed);”.
6. Chapter 6C of the Act applies to Listco as if section 671B were modified or varied by, omitting “.” in paragraph (7)(c) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:
 - “;or
 - (d) subsection 609(13A) (securities subject to escrow arrangement or demerger deed).”.

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Where this instrument applies

7. A relevant interest Listco has in securities of Listco (*Escrowed Securities*) merely because Listco has entered into one or more escrow agreements or deeds (each an *Escrow Arrangement*) with each *Security Holder* in connection with the proposed admission of Listco's securities to the official list of the Australian Securities Exchange (*ASX*) where each Escrow Arrangement:
- (a) does not restrict the exercise of voting rights attaching to, the Escrowed Securities;
 - (b) in the case of a takeover bid (including a proportional takeover bid):
 - (i) allows each Security Holder to accept into the Takeover Bid where holders of at least half of the bid class securities that are not subject to an Escrow Arrangement have accepted into the bid; and
 - (ii) requires that the Escrowed Securities be returned to escrow if the bid does not become unconditional;
 - (c) allows the Escrowed Securities to be transferred or cancelled as part of a merger by way of compromise or arrangement under Part 5.1 of the Act;
 - (d) terminates on the date that is the earlier of the date that is two years from the date of the relevant escrow agreement and the date that is three business days after the release of the Company's full year results for the financial year ended 30 June 2019.
 - (e) is substantially in the same form as the draft agreement provided to ASIC on 14 November 2017.
8. A relevant interest Listco has in securities of Listco as a result of Listco's entry into the Demerger Deed where the Demerger Deed:
- (a) is completed no later than one month after Listco is granted admission to official list of ASX Ltd; and
 - (b) is substantially in the same form provided to ASIC on 14 November 2017.

Interpretation

9. In this instrument

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Demerger Deed means a deed to which Listco is a party and under which Listco shares held by Wagners Holding Company Operations Pty Ltd ACN 109 763 742 (**Wagners**) are transferred to Wagners shareholders.

Security Holder means any of the following persons who hold shares in the Company:

- i. Wagners Holding Company Operations Pty Ltd ACN 109 763 742
- ii. John Wagner Investments Pty Ltd ACN 099 936 419
- iii. Denis Wagner Investments Pty Ltd ACN 099 936 393
- iv. Neill Wagner Investments Pty Ltd ACN 099 936 428
- v. Joe Wagner Investments Pty Ltd ACN 101 863 334
- vi. Neill Thomas Wagner
- vii. John Henry Wagner
- viii. Denis Patrick Wager
- ix. Joseph Doyle Wagner
- x. Henry Wager Investments Pty Ltd ACN 099 936 400

Dated this 16th day of November 2017



Signed by Ben Phillips
as a delegate of the Australian Securities and Investments Commission

17-1040

NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001

Notice is given under section 920E of the *Corporations Act 2001* that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 14th November 2017.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

IN THE MATTER OF DANIEL FAROOK ALI

SECTIONS 920A AND 920B
OF THE CORPORATIONS ACT 2001

To: Daniel Farook Ali

TAKE NOTICE that under sections 920A(1) and 920B(2) of the *Corporations Act 2001* the Australian Securities and Investments Commission prohibits **DANIEL FAROOK ALI** from providing any financial services permanently.

Dated this 3rd day of November 2017



Signed:

Lisa Lu
Delegate of the Australian Securities and Investments Commission

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

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 seventeenth day of November 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
INTEGRITY AUSTRALIAN SHARE FUND	127 314 078
MACQUARIE TIMBER LAND TRUST	104 113 475
MACQUARIE TIMBER LAND TRUST 2004	107 510 645

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 seventeenth day of November 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
ADVANCED FRESH CONCEPTS INTERNATIONAL, INC.	154 870 372
ANDREW WEBSTER LIMITED	150 262 178
ARTHUR FISHER LTD	608 705 540
BUREAU VAN DIJK EDITIONS ELECTRONIQUES SA	126 619 850
EXPERT 360 INC.	165 429 710
NIGHTHAWK RADIOLOGY SERVICES, LLC	098 194 640
S-1 CORPORATION	165 727 257
UTIBA SOFTWARE SOLUTIONS (SINGAPORE) PTE LTD	166 643 625

CORPORATIONS ACT 2001
Section 601CL(5)

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

Dated this seventeenth day of November 2017

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

BRIGHT BEACON LIMITED

GRENZEBACH MASCHINENBAU GMBH

KINAROAD LIMITED

NUTRITION GROUP PLC

ARBN

075 362 140

601 795 484

609 964 874

169 700 181

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.

ACN 614 478 090 LTD ACN 614 478 090 will change to a proprietary company limited by shares. The new name will be ACN 614 478 090 PTY LIMITED ACN 614 478 090.

AUSTRALIAN PACIFIC FREEHOLDS LIMITED ACN 164 999 008 will change to a proprietary company limited by shares. The new name will be AUSTRALIAN PACIFIC FREEHOLDS PTY LTD ACN 164 999 008.

HEXAGON GROUP LIMITED ACN 601 302 621 will change to a proprietary company limited by shares. The new name will be HEXAGON GROUP PTY. LTD. ACN 601 302 621.