





Commonwealth of Australia Gazette

No. A35/22, Tuesday 30 August 2022

Published by ASIC

# ASIC Gazette

# **Contents**

Notices under Corporations Act 2001

22-0690	22-0715	22-0724	22-0730	22-0731	22-0732	22-0733
22-0734	22-0737	22-0740	22-0742	22-0745	22-0753	

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 <a href="www.asic.gov.au">www.asic.gov.au</a>
Email <a href="mailto:gazette.publisher@asic.gov.au">gazette.publisher@asic.gov.au</a>

#### © Commonwealth of Australia, 2022

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

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

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

TO: Risk and Investment Advisors Australia Pty. Ltd. ACN 104 922 394 ("the Licensee") 4 Georgia Lee Place CLAREVILLE NSW 2107

Pursuant to section 915B(3)(a) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 238141 held by the Licensee, with effect from the date of this notice.

Dated 26 August 2022

Signed GP Mithen

Gerard Mithen

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

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

TO: STEVEN VICTOR SHERRAH
ABN 54 485 254 376 ("the Licensee")
519 Cherry Gardens Road
Cherry Gardens SA 5157

ules

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 488141 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 22 August 2022

Jedo Charles

Signed

#### Australian Securities and Investments Commission Corporations Act 2001 – Subsection 926A(2)(a) – Exemption

#### **Enabling legislation**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under s926A(2)(a) of the Corporations Act 2001 (Act).

#### Title

2. This instrument is ASIC Instrument 22-0724.

#### Commencement

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

#### Exemption

4. ASIC exempts Apis Capital Advisors LLC, a limited liability company incorporated under the laws of the US, and registered with the US Securities and Exchange Commission under file number 801-78582, (the body), from the requirement to hold an Australian financial services (AFS) licence, in the case specified in Schedule A, on the conditions specified in Schedule B.

#### Cessation

- 5. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) the date specified in subsection 1(3) of Schedule 2 of the ASIC Corporations (Repeal and Transitional) Instrument 2016/396 as amended by ASIC Corporations (Amendment) Instrument 2022/623; or
  - (b) the body failing to comply with any written notice given by ASIC directing the body to give to ASIC, within the time specified in the notice, a written statement containing specified information about the financial service business operated by the body in this jurisdiction; or
  - (c) the body being notified in writing by ASIC that it is excluded from relying on this instrument.

#### Schedule A

- 1. The body where all of the following apply:
  - (a) the body is:
    - (i) a registered broker dealer that is a member of the Securities Investor Protection Corporation established under the Securities Investor Protection Act of 1970 of the US and that is a member of FINRA and FINRA is the body's examining authority; or
    - (ii) a registered broker dealer that is an OTC derivatives dealer within the meaning of Rule 3b-12 promulgated under the Exchange Act who is affiliated within the meaning of that Rule with a registered broker dealer who is a member of FINRA; or
    - (iii) a registered investment adviser;

#### (aa) the body is:

- (i) a body corporate incorporated in the US or a State of the US; or
- (ii) a partnership formed in the US or a State of the US;
- (b) the body:
  - (i) is registered under Division 2 of Part 5B.2 of the Act; or
  - (ii) has an Agent at the time the body first purports to rely on this instrument and, from that time, has not failed to have an Agent for any consecutive period of 10 business days;
- (c) the body's primary business is the provision of financial services;
- (d) neither the body nor its Agent has been notified by ASIC that the body is excluded from relying on this instrument;
- (e) if the body becomes aware or should reasonably have become aware of matters that give it reason to believe that it has failed, other than in an immaterial respect, to comply with a requirement set out in Schedule C:
  - (i) 15 business days have not passed since the body became so aware or should reasonably have become so aware without the body providing full particulars of the failure to ASIC (to the extent that the body knows those particulars or would have known them if it had undertaken reasonable enquiries); and
  - (ii) 30 business days have not passed from ASIC receiving those particulars from the body without ASIC notifying the body that it may continue to rely on this instrument; and
- (f) the body has not notified ASIC that it will not rely on this instrument.

#### Schedule B

#### Where:

- 1. the body provides any of the following financial services (the *financial services*) in this jurisdiction to wholesale clients:
  - (a) providing financial product advice;
  - (b) dealing in a financial product;

in respect of any of the following financial products:

- (c) derivatives;
- (d) foreign exchange contracts;
- (e) securities;
- (f) debentures, stocks or bonds issued by a government;
- (g) managed investment products; or
- (h) interests in a managed investment scheme that is not required to be registered under Chapter 5C of the Act; and
- 2. the body has provided ASIC with:
  - (a) evidence that paragraph (a) of Schedule A is satisfied that ASIC has stated in writing is adequate;
  - (b) a notice that it will provide financial services in this jurisdiction in reliance on this instrument;
  - (c) a deed of the body for the benefit of and enforceable by ASIC and the other persons referred to in subsection 659B(1) of the Act that applies notwithstanding that the body may have ceased to rely, or never have relied, on this instrument, which deed provides that:
    - (i) the deed is irrevocable except with the prior written consent of ASIC;
    - (ii) the body submits to the non-exclusive jurisdiction of the Australian courts in legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise;
    - (iii) the body covenants to comply with any order of an Australian court in respect of any matter relating to the provision of the financial services;
    - (iv) if the body is not registered under Division 2 of Part 5B.2 of the Act, service of process on the body in relation to legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise can be effected by service on the Agent; and
    - (v) the body covenants that, on written request of either the SEC or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the SEC to disclose to ASIC and ASIC to disclose to the

Page 7 of 29

#### 22-0724

 $\ensuremath{\mathsf{SEC}}$  any information or document that the  $\ensuremath{\mathsf{SEC}}$  or ASIC has that relates to the body; and

(d) written consents to the disclosure by the SEC to ASIC and ASIC to the SEC of any information or document that the SEC or ASIC has that relates to the body. The consents must be in such form (if any) as ASIC specifies in writing.

#### Schedule C

- 1. The body must provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the US regulatory requirements if the financial service were provided in the US in like circumstances.
- 2. The body must:
  - (a) notify ASIC, as soon as practicable and in any event within 15 business days after the body became aware or should reasonably have become aware, and in such form if any as ASIC may from time to time specify in writing, of the details of:
    - (i) each significant change to, including the termination of, the registration as
      a registered broker dealer or a registered investment adviser applying to
      the body relevant to the financial services the body provides or intends to
      provide in this jurisdiction; and
    - (ii) each significant particular exemption or other relief which the body obtains from the US regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (iii) each action or investigation of the following kinds taken by the SEC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
      - (A) significant enforcement action;
      - (B) significant disciplinary action;
      - (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and
  - (b) provide written disclosure to all persons to whom the financial services are provided in this jurisdiction (before the financial services are provided) containing prominent statements to the following effect:
    - (i) the body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
    - (ii) the body is regulated by the SEC under US laws, which differ from Australian laws; and
  - (e) if ASIC gives the body a written notice directing the body to lodge with ASIC, within the time specified in the notice, a written statement containing specified information about any financial service provided by the body in this jurisdiction—comply with the notice.

#### Interpretation

In this instrument:

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

Agent means a natural person resident in this jurisdiction or a company, whose name and address were last notified to ASIC by the body for the purposes of this instrument,

and who is authorised to accept on the body's behalf, service of process from ASIC and, in relation to proceedings relating to a financial services law, from any person referred to in subsection 659B(1) of the Act;

custodial or depository service has the meaning given by section 766E of the Act;

derivative has the meaning given by section 761D of the Act;

examining authority, in relation to a body, means a self-regulatory organisation to which the body belongs which has not been relieved of responsibility relating to the body under section 17(d)(1)(A) of the Exchange Act in any respect;

Exchange Act means the Securities and Exchange Act of 1934 of the US;

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

financial services law has the meaning given by section 761A of the Act;

FINRA means the Financial Industry Regulation Authority;

foreign exchange contract has the meaning given by section 761A of the Act;

making a market has the meaning given by section 766D of the Act;

notice and notified mean, respectively, written notice and notified in writing;

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

registered broker dealer means a broker or dealer registered under section 15(b) of the Exchange Act;

*registered investment adviser* means a body corporate or a partnership formed in the US or a State of the US registered under section 203(c) of the Investment Advisers Act of 1940 of the US;

SEC means the Securities and Exchange Commission of the US;

securities has the meaning given by section 761A of the Act;

US means the United States of America;

*US regulatory requirements* means the rules that apply in relation to the financial services including:

- (a) any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the SEC; and
- (b) if the body is covered by subparagraph (a)(i) of Schedule A but not subparagraphs (a)(ii) or (iii) of that Schedule—any applicable rules, policies or other documents (however described) of FINRA; and

wholesale client has the meaning given in section 761G of the Act.

Dated this 24th day of August 2022.

Signed by Jacob Sims

Jakes 7

# Notices under Corporations Act 2001



## Australian Securities and Investments Commission

Office address (inc courier deliveries): Level 7, 120 Collins Street, Melbourne VIC 3000

Mail address for Melbourne office: GPO Box 9827, Brisbane QLD 4001

Tel: +61 1300 935075 Fax: +61 1300 729 000

www.asic.gov.au 22-0730

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

#### Notice of Cancellation of an Australian financial services licence

- TO: Sirius Financial Markets Pty Ltd ACN 142 189 384 ("the Licensee") Level 29, 85 Castlereagh St Sydney NSW 2000
- Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001 (the Act), the Australian Securities and Investments Commission (ASIC) hereby cancels Australian financial services (AFS) licence number 439907 held by the Licensee, with effect from the date on which this notice is given to the Licensee.
- Pursuant to section 915H of the Act, the AFS licence continues in effect while cancelled, as though the cancellation had not happened for the purposes of:
  - a. paragraphs 912A(2)(c) of the Act, which requires the Licensee to maintain membership of the Australian Financial Complaints Authority scheme for no less than twelve months from the date the notice of cancellation of the AFS licence is given to the Licensee; and
  - b. section 912B of the Act, which requires the Licensee to maintain compensation arrangements for no less than twelve months from the date the notice of cancellation of the AFS licence is given to the Licensee. The arrangements must satisfy the requirements set out in regulation 7.6.02AAA of the Corporations Regulations 2001.

Dated 23 August 2022

Signed Jedo Charles

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

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

TO: CURRIE FINANCIAL SERVICES PTY. LTD. ACN 163 208 393 ("the Licensee") 25 Peel Street Adelaide SA 5000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 443737 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 22 August 2022

Signed Signed

Jedo Charles

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

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

TO: Genesys Wealth Advisers Limited ACN: 060 778 216 ("the Licensee") Level 29 50 Bridge Street SYNDEY NSW 2000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 232686 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 24 August 2022

Signed GPMithen

Gerard Mithen

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

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

TO: Wel-Link Funds Pty Ltd
A.C.N. 621 606 602 ("the Licensee")
Coca Cola Place, Level 17/40 Mount Street
North Sydney NSW 2060

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 507266 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 23 August 2022

Signed .....

Jedo Charles

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order in the terms set out below, which order took effect on 25th August 2022.

#### **AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

#### NOTICE OF CANCELLATION OF AUSTRALIAN FINANCIAL SERVICES LICENCE

To: CMH Financial Group Pty Ltd (ACN 131 729 425)

Under section 915C (1) of the Corporations Act 2001, the Australian Securities and Investments Commission cancels Australian Financial Services Licence number 415 452 held by CMH Financial Group Pty Ltd. (ACN 131 729 425)

Dated this 18th day of August 2022.

Signed:

Melanie Baxter

Page 15 of 29

22-0737

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

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

TO: Franklin Templeton Investments Australia Limited ACN 006 972 247 ("the Licensee")
Level 19, 101 Collins Street
Melbourne VIC 3000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 225328 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 19 August 2022

Signed N Vonary

Nicholas Vonarx

Page 16 of 29

22-0740

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

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

TO: Wilmit Pty Ltd
ABN 56 052 503 385 ("the Licensee")
L 1 261-271 Wattletree Road
MALVERN VIC 3144

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 485871 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 23 August 2022

Signed N Vonary

Nicholas Vonarx







The Directors
Melbourne Securities Corporation Limited
Level 2, 365 Collins Street
Melbourne VIC 3000

By email only: <a href="mailto:lblair@msc.group">lblair@msc.group</a>; <a href="mailto:Sbrown@msc.group">Sbrown@msc.group</a>

23 August 2022

**Dear Directors** 

Melbourne Securities Corporation Limited (ACN 160 326 545) – application for approval of body corporate to act as debenture trustee

We refer to the application made by Melbourne Securities Corporation Limited (MSC) under s 283GB(1)(c) of the Corporations Act 2001 (Cth)(the Act) on 13 July 2022, seeking ASIC's approval to act as debenture trustee for the holders of unlisted notes issued, or proposed to be issued, by Westlawn Finance Limited ACN 096 725 218 (Westlawn)(the Application).

#### ASIC's power to approve bodies corporate to be debenture trustees

Under paragraph 283AC(1)(f) of the Act, a body corporate approved by ASIC under section 283GB of the Act can act as a debenture trustee.

Under subsection 283GB(1) of the Act, ASIC may approve a body corporate in writing to act as debenture trustee (which may be given subject to any conditions):

- (a) in any circumstances;
- (b) in relation to a particular borrower or particular class of borrower; or
- (c) in relation to a particular trust deed.

#### 22-0742

# Australian Securities and Investments Commission

Office address (inc courier deliveries): Level 7, 120 Collins Street, Melbourne VIC 3000

Mail address for Melbourne office: GPO Box 9827, Brisbane QLD 4001

Tel: +61 1300 935 075 Fax: +61 1300 729 000 www.asic.gov.au

#### Approval of MSC to act as trustee

ASIC has reviewed the Application. Under paragraph 283GB(1)(c) of the Act, ASIC approves MSC to be a trustee for the purposes of paragraph 283AC(1)(f) of the Act under the trust deed dated on or about 1 June 2001, between the Public Trustee of Queensland ABN 12676939467 and Westlawn to the extent that the trust deed complies with section 283AB(1) of the Act.

ASIC's approval is conditional on MSC providing ASIC with a copy of an original executed deed poll in favour of ASIC in a form approved by ASIC and addressed to Jeremiah Leong and Dominic Clarke of the Corporations team (jeremiah.leong@asic.gov.au and dominic.clarke@asic.gov.au).

The deed poll was provided to ASIC on 23 August 2022.

If you wish to discuss this matter further, please contact me on 03 9280 3451.

Yours sincerely,



Jeremiah Leong as a delegate of the Australian Securities and Investments Commission

Attachment: Deed Poll in favour of ASIC

<sup>&</sup>lt;sup>1</sup> As amended by the deed of amendment dated 19 March 2009 between Westlawn and the Trust Company Fiduciary Services Limited ACN 000 000 993, and as amended by the deed of variation dated 13 July 2022 between MSC and Westlawn, together with the deed of retirement and appointment dated on or about 5 August 2022.



# Deed poll: Condition of ASIC approval to act as trustee

22-0742

#### Deed Poll: Condition of ASIC approval to act as trustee

This deed poll is made on 23 August 2022

by:

**Melbourne Securities Corporation Limited ACN 160 326 545** of Level 2, 395 Collins Street Melbourne, Victoria, 3000, Australia (*Trustee*),

for the benefit of and enforceable by the:

**Australian Securities and Investments Commission** of Level 7, 120 Collins Street, Melbourne, Victoria, 3000, Australia (**ASIC**).

#### **Recitals**

- a. The Trustee proposes to act as trustee for the purposes of paragraph 283AC(1)(f) of the Act in connection with issued, or proposed issues of debentures under the Trust Deed.
- b. ASIC will approve the Trustee's application under paragraph 283GB(1)(c) of the Act on the condition that the Trustee makes this deed poll in favour of ASIC.
- c. The Trustee will be appointed as trustee of the Trust.
- The provisions of this document will apply to the Trustee and its actions or omissions as trustee pursuant to the Trust Deed.

#### Operative provisions

#### **Becoming Trustee**

1 The Trustee will notify ASIC of its appointment as trustee of the Trust if that appointment occurs after the date of this deed poll.

#### Competency

- 2 The Trustee will:
  - do all things necessary to ensure that it conducts its role as trustee efficiently, honestly and fairly;
  - (b) maintain the competence to act as trustee for the holders of debentures, issued or proposed to be issued by the Borrower pursuant to the Trust Deed; and
  - (c) ensure that its employees are adequately trained and competent for the Trustee to conduct its role as trustee of the Trust.
- 3 The Trustee will notify ASIC if it suspects any failure to comply with any of the obligations in clause 2.

#### 22-0742

- The Trustee will notify ASIC of any material change which could reasonably impact the Trustee's ability to exercise its powers or to perform its functions under the Trust Deed, including but not limited to:
  - (a) changes in the Trustee's financial resources;
  - (b) the departure of key staff; and
  - (c) the Trustee becoming aware that it:
    - (i) has not been validly appointed; or
    - (ii) will be wound up or deregistered.

#### **Financial resources**

- The Trustee is required to hold professional indemnity insurance cover of no less than the lesser of \$5 million or the value of debentures for which the Trustee acts, subject to the Trustee's assessment of whether additional professional indemnity insurance cover would be appropriate with regard to the nature and scale of its business.
- 6 The Trustee's professional indemnity insurance cover must permit the Trustee to claim in its capacity as trustee of the Trust.
- 7 The Trustee will notify ASIC promptly of any claims made against its professional indemnity insurance.
- The Trustee is required to have, and subsequently continue to have, \$5 million in net tangible assets within 12 months of the date of this executed deed poll.
- The Trustee will notify ASIC promptly to the extent that the conditions in clauses 5 and 8 have not been, or are no longer, satisfied.

#### Independence

- 10 From time to time, and at least once annually, the Trustee will make reasonable enquiries to ascertain if any of the following circumstances have occurred:
  - the Trustee, or an officer, becomes an associate of the Borrower;
  - the Trustee, or an associate of the Trustee, beneficially holds shares in the Borrower or an associate of the Borrower;
  - the Borrower, or associate of the Borrower, beneficially holds shares in the Trustee or an associate of the Trustee;
  - (d) the Trustee, or an officer, beneficially owes money to, or is beneficially owed money by, the Borrower or an associate of

#### 22-0742

- the Borrower (except monies owed under a banking facility extended in the normal course of business); or
- (e) there is any commercial, or other relationship, between the Trustee or an officer and the Borrower or an associate of the Borrower, that is likely to cause conflict between the duties of the Trustee or its officers.
- 11 The Trustee will notify ASIC if it has reason to suspect that any of the circumstances in clause 10 have occurred.

#### Reporting

- 12 The Trustee will produce a report (**Compliance Report**), after the end of each financial year, reporting on whether the Trustee has complied with the provisions of the Compliance Manual during the financial year.
- 13 The Compliance Report will identify all material breaches by the Trustee and specify all action taken or proposed to be taken, if any, to rectify such non-compliance.
- 14 The Compliance Report will be tabled at a meeting of the Trustee's board of directors within two months after the end of the preceding financial year, and the directors of the Trustee will consider, and pass a resolution, regarding the Trustee's compliance with the Compliance Manual in the preceding financial year.
- 15 The Trustee will provide to ASIC a copy of the director's resolution pursuant to clause 14 within three months after the end of the preceding financial year.
- The Trustee will ensure that its auditor states, substantially in such form as ASIC requires, whether there is any matter or thing that has come to the auditor's attention to cause the auditor to disagree with the information contained in the Compliance Report or the corresponding resolution passed by the board of directors. Other than the usual steps which form part of a statutory audit, the auditor is not required to take any further steps in forming its view about the Compliance Report.
- The Trustee will provide to ASIC the auditor's statement on the Compliance Report within four months after the end of the Trustee's financial year together with a copy of the Compliance Report.

#### **Notifications**

Unless this deed poll states otherwise, the Trustee will notify ASIC promptly, and in writing, and, in any event, within seven days of the

#### 22-0742

- occurrence of the event or circumstance which gives rise to a requirement to provide notification under this deed poll.
- 19 All notifications under this deed poll must be sent electronically to the email address <a href="mailto:applications@asic.gov.au">applications@asic.gov.au</a>.

#### Publication of this deed poll

20 The Trustee acknowledges that ASIC will publish the terms of this deed poll in the Gazette when ASIC publishes notice of the approval in accordance with section 283GB of the Act.

#### Governing law

21 The governing law is that of the state of Victoria and the Trustee submits to the non-exclusive jurisdiction of the courts of Victoria, Australia.

#### **Definitions and interpretation**

- 22 In this deed poll, a reference to the singular includes a plural and vice versa.
- The Trustee acknowledges and agrees that a copy of this deed poll, duly executed, will not be invalid as a record of this deed poll because it is in an electronic form, consistent with the application of section 7 of the *Electronic Transactions Act 2000* (Vic) and such copy may be produced in evidence in place of the original.
- In this deed poll, unless the contrary intention appears, capitalised terms have the following meaning:

Act means the Corporations Act 2001 (Cth).

**Adjusted Assets** means the definition of adjusted assets set out at paragraph 101 of RG 166.

**Adjust Liabilities** means the definition of adjusted liabilities set out at paragraph 102 of RG 166.

Associate means an associate as defined in the Act.

Borrower Westlawn Finance Limited ACN 096 725 218.

**Compliance Manual** means the document titled 'Policy & Procedures Manual', incorporating all appendices, dated June 2019 (and provided to ASIC on 24 September 2019) which relates to the Trustee's compliance practices.

Compliance Report has the meaning given to it in clause 12.

22-0742

Gazette means the Commonwealth of Australia ASIC Gazette.

**Net tangible assets** means the Trustee's Adjusted Assets minus Adjusted Liabilities.

**RG 166** means Regulatory Guide 166: AFS Licensing: Financial Requirements.

Trust means the trust established by the Trust Deed.

**Trust Deed** means the trust deed, dated on or about 1 June 2001, between the Borrower and the Trustee, as amended by the deed of amendment dated 19 March 2009 between the Borrower and the Trust Company Fiduciary Services Limited ACN 000 000 993, and as amended by the deed of variation dated 13 July 2022 between the Borrower and the Trustee, together with the deed of retirement and appointment dated on or about 5 August 2022.

**Trustee** means Melbourne Securities Corporation Limited ACN 160 326 545.

Notices under Corporations Act 2001

DEED POLL: Condition to ASIC approval to act as trustee

22-0742

Execution

Executed as a deed poll on 23 August 2022.

SIGNED, SEALED and DELIVERED by Melbourne Securities Corporation Limited ACN 160 326 545 under s127 of the Corporations Act 2001:

Signature of Director

Signature of Directory\*

Shelley Brown

Lauree Blair

Name of Director

Name of Biroter / Secretary\* # Delete whichever is not applicable





## Australian Securities and Investments Commission

Office address (inc courier deliveries): Level 7, 120 Collins Street, Melbourne VIC 3000

Mail address for Melbourne office: GPO Box 9827, Brisbane QLD 4001

Tel: +61 1300 935 075 Fax: +61 1300 729 000 www.asic.gov.au

22-0745

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

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

TO: L.U.C.R.F. Pty. Ltd.

ACN 005 502 090 ("the Licensee")

Level 3, 833 Bourke St Docklands Vic 3008

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 258481 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 25 August 2022

Signed GP Withen

Gerard Mithen

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

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

TO: Macquarie Securities Management Pty Limited ACN 003 435 443 ("the Licensee") 50 Martin Place SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 237984 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 25 August 2022

Signed GPMathen

Gerard Mithen

ASIC GAZETTE	Commonwealth of Australia Gazette		
No. A35/22, Tuesday 30 August 2022			
Company/Scheme deregistrations	Page 28 of 29		

CORPORATIONS ACT 2001 Section 601CL(5)

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

Dated this twenty-sixth day of August 2022

Name of Company	ARBN
AIR AUSTRAL SA	136 104 964
PATRIZIA INSTITUTIONAL CLIENTS & ADVISORY GMBH	640 532 823

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.

#### **ALLIANCE RESOURCES LIMITED**

ACN 063 293 336 will change to a proprietary company limited by shares. The new name will be ALLIANCE RESOURCES PTY LTD ACN 063 293 336.

#### **COMPARE CLUB HOLDINGS LIMITED**

ACN 634 507 412 will change to a proprietary company limited by shares. The new name will be COMPARE CLUB HOLDINGS PTY LTD ACN 634 507 412.

#### LIGHTYEAR GROUP PTY LTD

ACN 631 302 817 will change to a public company limited by shares. The new name will be LIGHTYEAR GROUP LTD ACN 631 302 817.

#### **RCS TECHNOLOGIES PTY LTD**

ACN 628 915 426 will change to a public company limited by shares. The new name will be REMITTER LIMITED ACN 628 915 426.

#### TEN SIXTY FOUR QUEENSLAND LIMITED

ACN 614 771 407 will change to a proprietary company limited by shares. The new name will be TEN SIXTY FOUR QUEENSLAND PTY LTD ACN 614 771 407.

#### **BULLSEYE RESOURCES LIMITED**

ACN 150 201 522 will change to a proprietary company limited by shares. The new name will be BULLSEYE RESOURCES PTY LTD ACN 150 201 522.

**KIWA GROUP LTD** ACN 633 194 920 will change to a proprietary company limited by shares. The new name will be KIWA GROUP PTY LTD ACN 633 194 920.

**NHK PTY. LTD.** ACN 004 541 360 will change to a public company limited by shares. The new name will be ONE RAIL AUSTRALIA HOLDINGS LTD ACN 004 541 360.

**STRAXCORP PTY. LTD.** ACN 140 706 618 will change to a public company limited by shares. The new name will be CURVEBEAM AI LIMITED ACN 140 706 618.