



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

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# ASIC Gazette

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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](http://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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13-0042

**ASIC**

Australian Securities &amp; Investments Commission

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

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

**TO:** Commodity Intelligence Pty Ltd  
ACN 113 432 063 ("the Licensee")  
C/-Commodity Intelligence Pty Ltd  
20 Ashgrove Avenue  
ASHGROVE QLD 4060

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 304792 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 16 January 2013

Signed .....

A handwritten signature in black ink, appearing to read 'schofield', written over a dotted line.

Peter Schofield, a delegate of the Australian Securities and Investments Commission

13-0047

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a), and  
1020F(1)(b) – Exemptions**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument [13-0047].

**Commencement**

3. This instrument commences on gazettal.

**Exemptions**

4. McDonald's Corporation, a company incorporated under the laws of the State of Delaware of the United States of America (*issuer*) and any related body corporate (*issuer*) does not have to comply with Part 7.9 of the Act where the issuer:
  - (a) makes an eligible incentive plan offer;
  - (b) offers to arrange for the issue of financial products under an eligible incentive plan offer; or
  - (c) issues a financial product under an eligible incentive plan offer on the conditions set out in this instrument and for so long as the conditions are met.
5. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
  - (a) a financial service consisting of general advice reasonably given in connection with the eligible incentive plan offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement to the effect that any advice given by the issuer or any related body corporate of the issuer in connection with the offer is general advice only, and that employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice;
  - (b) a custodial or depository service in connection with an eligible incentive plan offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;

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- (c) dealing in a financial product in the course of providing a custodial or depositary service covered by paragraph (b);
  - (d) issuing a financial product under an eligible incentive plan offer covered by paragraph 4 of this instrument;
    - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
    - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
6. The issuer does not have to comply with section 992A of the Act in relation to an eligible incentive plan offer made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with the offer.
7. ASIC exempts a financial product that is the subject of an eligible incentive plan offer from Part 7.9 of the Act where:
- (a) a recommendation is made by a person (other than the issuer) that a person to whom an eligible offer has been made acquire the financial product as a retail client; and
  - (b) the person who made the recommendation is not aware, and ought not reasonably to be aware, that any of the conditions set out in this instrument have not been met.

#### Where this instrument applies

8. This instrument applies where the issuer:
- (a) meets the requirements (including, for the avoidance of doubt, definitions) of ASIC Class Order CO [03/184] (the *class order*) as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the *Legislative Instruments Act 2003*, except the definition of:
    - (i) "eligible offer" in paragraph 9 of the Interpretation; and
    - (ii) "offer document" in paragraph 15 of the Interpretation; and
  - (b) would meet the requirements of the class order if the definition of an "eligible offer" in paragraph 9 of the Interpretation was to read:

"9. "eligible offer" means an offer for issue or sale of:

    - (a) fully-paid shares in an issuer in the same class as shares which have been quoted on the financial market operated by the New York Stock Exchange throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period; or
    - (b) restricted stock units in relation to shares referred to in paragraph (a), made under an employee share scheme extended only to eligible employees of the issuer;" and

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(c) would meet the requirements of the class order if, in the definition of an "offer document" in paragraph 15 of the Interpretation, subparagraphs (c) and (d) were to read:

"(c) specifies in respect of the restricted stock units or the shares to which the restricted stock units relate:

- (i) the acquisition price in Australian dollars;
- (ii) where the acquisition price is specified in a foreign currency, the Australian dollar equivalent of that price at the date of the eligible offer; or
- (iii) where the acquisition price is to be worked out in the future under a formula, the Australian dollar or Australian dollar equivalent of that price were the formula applied at the date of the eligible offer; and

(d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which an eligible employee may acquire the shares, within a reasonable period of the employee requesting, make available to the employee:

- (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of the shares to which the restricted stock units relate; and
- (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date."; and

(d) would meet the requirements of the class order if, in the Interpretation, the following definition was inserted:

"16A. "restricted stock unit" means a right to subscribe for and/or acquire one fully paid ordinary share in the capital of an issuer, where either no consideration or nominal consideration is payable for the exercise of the right to subscribe for and/or acquire such a share;"

### Conditions

9. The issuer can only rely on the exemptions in this instrument where the issuer complies with the conditions of the class order as expressed to apply to them.

### Interpretation

In this instrument:

*eligible incentive plan offer* means an offer for the issue or sale of shares in the issuer, or of restricted stock units in relation to the shares, made under an arrangement known as the McDonald's Corporation 2012 Omnibus Stock Ownership Plan, the terms of which are substantially in the same form as those provided to ASIC on 18 December 2012 and the

13-0047

Australian Addendum to the McDonald's Corporation 2012 Omnibus Stock Ownership Plan, the terms of which are substantially in the same form as those provided to ASIC on 4 January 2013.

Dated this 18<sup>th</sup> day of January 2013



Signed by Aldona Baranowski  
as a delegate of the Australian Securities and Investments Commission

13-0052

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

**Schedule**

Equity Trustees Limited ACN 004 031 298 in its capacity as responsible entity of the QS Investors DBI Global Emerging Markets Fund ARSN 161 911 306.

Dated this 24 day of January 2013



Signed by Gerald Yip  
as a delegate of the Australian Securities and Investments Commission

13-0068

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001 (the Act)*, the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 5C of the Act applies to the person specified in the Schedule as if the provisions of that Chapter as modified or varied by ASIC Class Order [CO 05/26] were modified or varied as follows:

1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

**Schedule**

Fundhost Limited ACN 092 517 087 in its capacity as responsible entity of the Intelligent Investors International Fund ARSN 161 843 778.

Dated this 21st day of January 2013



Signed by Sandra Stephens  
as a delegate of the Australian Securities and Investments Commission



13-0070

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

Under paragraph 601QA(1)(b) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission declares that Chapter 5C of the Act applies to BT Investment Management (RE) Limited ACN 126 390 627 in its capacity as the responsible entity of the BT Pure Alpha Fixed Income Fund ARSN 161 859 936 as if the provisions of that Chapter as modified or varied by Class Order [CO 05/26] were modified or varied as follows:

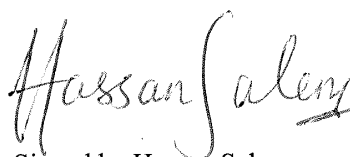
1. after subsection 601GAB(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the issue price is taken to comply with subsection (2) for interests in a class of interests that are not quoted on a financial market if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

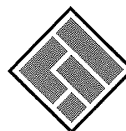
2. after subsection 601GAC(2) insert:

“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number of interests in the class.”

Dated this 21<sup>st</sup> day of January 2013



Signed by Hassan Salem  
as a delegate of the Australian Securities and Investments Commission



13-0071

**ASIC**

Australian Securities &amp; Investments Commission

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

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

**TO:** GGB Financial Pty Ltd  
ACN 140 703 297 (the Licensee")  
Unit 1, 685 Old South Head Road  
Vaucluse NSW 2030

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 343589 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 22nd day of January 2013

Signed .....

A handwritten signature in black ink, appearing to read 'P. Schofield', written over a dotted line.

Peter Schofield, a delegate of the Australian Securities and Investments Commission



13-0074

**ASIC**

Australian Securities &amp; Investments Commission

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

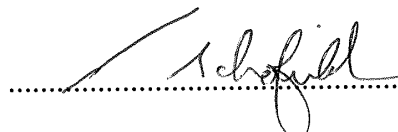
**Notice of Cancellation of an Australian Financial Services Licence**

**TO:** Atom Funds Management Pty Limited  
ACN 118 597 452 (the Licensee")  
Level 11, 131 Macquarie Street  
Sydney NSW 2030

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 301459 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 23rd day of January 2013

Signed

.....

Peter Schofield, a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001  
Subsection 601CC(4)

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

Dated this twenty-ninth day of January 2013

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

SUDDEN INFANT DEATH ASSOCIATION OF NEW SOUTH WALES INC

134 220 769

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-ninth day of January 2013

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

MACLEAN ENGINEERING & MARKETING CO. LIMITED  
NATIXIS CORPORATE SOLUTIONS (ASIA) PTE. LTD.  
SKY RESEARCH INC.

096 254 778  
126 703 026  
141 066 499

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this twenty-ninth day of January 2013

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company****ARBN**

CIRIS ENERGY, INC.	150 883 471
COMSCORE EUROPE LTD	148 997 871
FORTIFY SOFTWARE, INC.	134 742 448
MCQUEEN SERVICES LIMITED	125 711 033
OBERON ASSETS LIMITED	130 889 333
SLEEPYHEAD LIMITED	131 818 463
SOKOL CORP.	003 767 735
TOPCON AMERICA CORPORATION	125 765 255
VISCAS CORPORATION	133 203 595
XPV RACING LIMITED	117 104 855

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.

**BCP PRIVATE EQUITY LIMITED**

ACN 109 599 840 will change to a proprietary company limited by shares. The new name will be BCP PRIVATE EQUITY PTY LIMITED  
ACN 109 599 840.

**ENDLESS REWARDS LIMITED**

ACN 114 569 872 will change to a proprietary company limited by shares. The new name will be ENDLESS REWARDS PTY LIMITED  
ACN 114 569 872.

**LAWSON GRAINS LIMITED** ACN 142 723 617 will change to a proprietary company limited by shares. The new name will be  
LAWSON GRAINS PTY LIMITED  
ACN 142 723 617.

**PRODUCE COLLECTIVE LTD**

ACN 147 137 979 will change to a proprietary company limited by shares. The new name will be  
PRODUCE COLLECTIVE PTY LTD  
ACN 147 137 979.

**SUN IRON LTD** ACN 155 531 605 will change to a proprietary company limited by shares. The new name will be  
SUN IRON PTY LTD  
ACN 155 531 605.

**BVA TEC PTY LTD** ACN 161 027 354 will change to a public company limited by shares. The new name will be  
BVA TEC LIMITED  
ACN 161 027 354.

**HARRIS DAIRIES LIMITED** ACN 148 217 029 will change to a proprietary company limited by shares. The new name will be  
HARRIS DAIRIES PTY LTD ACN 148 217 029.

**MACQUARIE FARM SERVICES LIMITED** ACN 122 169 304 will change to a proprietary company limited by shares. The new name will be  
MACQUARIE FARM SERVICES PTY LIMITED  
ACN 122 169 304.

**S.M.F. FUNDS MANAGEMENT LTD.**

ACN 009 564 354 will change to a proprietary company limited by shares. The new name will be  
S.M.F. FUNDS MANAGEMENT PTY LTD  
ACN 009 564 354.

**UNITED FUNDS MANAGEMENT LIMITED** ACN 073 186 419 will change to a proprietary company limited by shares. The new name will be  
UNITED FUNDS MANAGEMENT PTY LTD  
ACN 073 186 419.