



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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13-0908

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1) – Variation**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0908.

Commencement

3. This instrument commences upon execution.

Variation

4. ASIC instrument 11-0282 is varied by inserting the following new paragraphs 5 and 6:

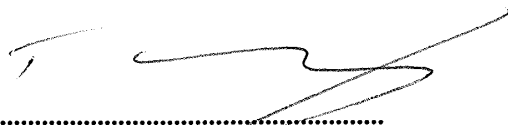
"Where this instrument applies

5. The exemption and declaration apply to a request for hardship withdrawal from the Scheme that is lodged with the Responsible Entity after 6 April 2011.

Cessation of instrument

6. The exemption and declaration cease to apply on the earlier of:
 - (a) the date when the Responsible Entity notifies a member of its decision to permit or refuse a request received before 16 July 2013 from hardship withdrawal from the Scheme under subsection 601KEA as notionally inserted by this instrument where that request is the last remaining request to be decided by the Responsible Entity; and
 - (b) 22 October 2013."

Dated this 16th day of July 2013


.....
Signed by Tony Tran
as a delegate of the Australian Securities and Investments Commission

13-0909

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1) – Variation**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0909.

Commencement

3. This instrument commences upon execution.

Variation

4. ASIC instrument 11-0387 is varied by inserting the following new paragraphs 5 and 6:

"Where this instrument applies

5. The exemption and declaration apply to a request for hardship withdrawal from the Scheme that is lodged with the Responsible Entity after 4 May 2011.

Cessation of instrument

6. The exemption and declaration cease to apply on the earlier of:
 - (a) the date when the Responsible Entity notifies a member of its decision to permit or refuse a request received before 16 July 2013 from hardship withdrawal from the Scheme under subsection 601KEA as notionally inserted by this instrument where that request is the last remaining request to be decided by the Responsible Entity; and
 - (b) 22 October 2013."

Dated this 16th day of July 2013

.....
Signed by Tony Tran
as a delegate of the Australian Securities and Investments Commission

13-0930

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1) – Revocation and Variation**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0930.

Commencement

3. This instrument commences upon execution.

Revocation

4. This instrument revokes ASIC instrument 13-0908 dated 16 July 2013.

Variation

5. ASIC instrument 11-0282 is varied by inserting the following new paragraphs 5 and 6:

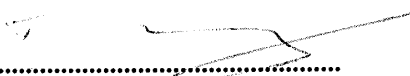
"Where this instrument applies

5. The exemption and declaration apply to a request for hardship withdrawal from the Scheme that is lodged with the Responsible Entity after 6 April 2011.

Cessation of instrument

6. The exemption and declaration cease to apply on the earlier of:
 - (a) the date when the Responsible Entity notifies a member of its decision to permit or refuse a request received before 23 July 2013 for hardship withdrawal from the Scheme under section 601KEA as notionally inserted by this instrument where that request is the last remaining request to be decided by the Responsible Entity; and
 - (b) 22 October 2013."

Dated this 23rd day of July 2013



Signed by Tony Tran

as a delegate of the Australian Securities and Investments Commission

13-0931

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1) – Revocation and Variation**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 13-0931.

Commencement

3. This instrument commences upon execution.

Revocation

4. This instrument revokes ASIC instrument 13-0909 dated 16 July 2013.

Variation

5. ASIC instrument 11-0387 is varied by inserting the following new paragraphs 5 and 6:

"Where this instrument applies

5. The exemption and declaration apply to a request for hardship withdrawal from the Scheme that is lodged with the Responsible Entity after 4 May 2011.

Cessation of instrument

6. The exemption and declaration cease to apply on the earlier of:
 - (a) the date when the Responsible Entity notifies a member of its decision to permit or refuse a request received before 23 July 2013 for hardship withdrawal from the Scheme under section 601KEA as notionally inserted by this instrument where that request is the last remaining request to be decided by the Responsible Entity; and
 - (b) 22 October 2013."

Dated this 23rd day of July 2013**Signed by Tony Tran****as a delegate of the Australian Securities and Investments Commission**

13-0932

**Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 601QA(1)(a) and 911A(2)(l) — Revocation
and Exemption**

1. Under paragraph 601QA(1)(a) of the *Corporations Act 2001 (Act)*, the Australian Securities and Investments Commission (*ASIC*) revokes ASIC Instrument 01/0366.
2. Under paragraph 601QA(1)(a) of the Act ASIC exempts Mariner Shore Club Limited ACN 010 748 286 (*Operator*) from section 601ED of the Act, in the case specified in Schedule A on the conditions set out in Schedule B for so long as those conditions are met.
3. Under paragraph 911A(2)(l) of the Act ASIC exempts the Operator from the requirement to hold an Australian financial services licence for the provision of financial services, in the case specified in Schedule A, on the conditions set out in Schedule C for so long as those conditions are met.

Schedule A

1. The operation of the time-sharing scheme known as Mariner Shores Resort and Beach Club Trust, constituted under a Deed dated 21 October 1987 originally between Holiday Resort Pty Ltd ACN 010 488 570, Mariner Shores Beach Resort Pty Ltd ACN 010 703 572, Mariner Shores Club Limited ACN 010 748 286 and Permanent Trustee Company Limited ACN 000 000 993 (*Scheme*), where:
 - (a) at least 90% of the votes that may be cast on a resolution by members of the Operator are held by members that are not, and are not associated in relation to the Scheme with, any operator, manager, promoter or developer in relation to the Scheme, other than where held by members solely in their capacity as an associate of the Operator;
 - (b) at least 90% by value or number of all the interests in the Scheme that can be issued have been issued and are held by persons who are not, and are not associated in relation to the Scheme with, any operator, manager, promoter or developer in relation to the Scheme, other than where held by members solely in their capacity as an associate of the Operator;
 - (c) the Operator has control over management of the property that members of the Scheme have a right to use, occupy or possess as part of the Scheme (*Property*) to the exclusion of any responsible entity of the Scheme;
 - (d) no promoter of the Scheme nor any developer in relation to the Property has failed to perform any contractual obligation to any member in relation to the Scheme that is likely to adversely affect the member's interests;
 - (e) no responsible entity or former responsible entity of the Scheme operates any scheme under which there is pooling of income received for the use of rights to occupy any part of the Property; and

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- (f) all decisions in relation to the operation of the Scheme that materially affect the interests of members may be made only by the Operator or the Operator has a right of veto in relation to such decisions.

Schedule B

1. In relation to each building that was to be built under the terms of any prospectus in relation to the Scheme the Operator:
 - (a) ensures that the building is substantially completed to the extent that members will not be materially affected if no further construction occurs; or
 - (b) gives ASIC a notice in writing stating that the building will not be substantially completed and that the members of the Scheme will not be materially affected by its not being substantially completed;
2. Where any offers of interests in the Scheme for issue or sale are made by the Operator or by any other operator, manager, promoter or developer in relation to the Scheme, and the Scheme is not registered, the Operator ensures that:
 - (a) Chapter 6D of the Act is complied with as far as practicable;
 - (b) the offeror holds a Australian financial services licence that contains conditions relating to sales of interests in time-sharing schemes; and
 - (c) the offeror complies with the conditions of the licence, as if the Scheme were a registered scheme;other than an offer of interests referred to in Schedule C.
3. The Operator must ensure that either:
 - (a) the Property is held on trust for the members; or
 - (b) members hold title to the Property, and all members:
 - (i) have received their share or membership certificates in the Operator; and
 - (ii) fall into one or more of the following categories:
 - (A) they have received a certificate of title showing the member as holding title in a portion of the Property in accordance with their entitlement (and where there is no certificate of title issued by the relevant titles registry, a copy of a registration confirmation statement or other evidence of title issued by the relevant titles registry); or
 - (B) they have received a copy of the certificate of title certified as a true copy by a Justice of the Peace or a lawyer, where the Operator has acknowledged that it is holding such a certificate in safe

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custody to be dealt with in accordance with provisions in the Operator's constitution that provide for the certificate to be used only to facilitate a transfer authorised by the member, or on forfeiture of the interest; or

- (C) they became members as a result of an offer made before 6 December 1999 that was consequent upon the forfeiture of an interest by a former member;

4. The Operator must ensure that any management agreement for the Scheme or relating to the Property provides for the dismissal of the manager without any additional payment when members of the Operator pass a resolution to that effect in at least one of the following cases:

- (a) more than 50% of all members vote for dismissal;
- (b) members holding more than 50% by value of the interests vote for dismissal;
- (c) 75% of members voting (whether in person or by proxy) vote for dismissal where at least 25% of members eligible to vote do so; or
- (d) members holding 75% by value of the interests that are held by members voting (whether in person or by proxy) vote for dismissal where members holding at least 25% by value of the interests eligible to vote do so,

unless:

- (e) the management agreement was in force on 6 December 1999;
- (f) there has not since that date been any lawful means for the Operator to terminate the agreement;
- (g) members are given at least 21 days' written notice that the Operator seeks to rely on the exception contained in these paragraphs (e) to (n) and that the management agreement does not meet the usual requirements of ASIC policy concerning how a management agreement may be terminated;
- (h) the notice sent to members allows the member to requisition a vote by ticking a form accompanying the notice;
- (i) the notice contains a summary of all material information that is relevant to a member's decision whether to requisition a vote;
- (j) the notice states prominently a reply paid address to which the form requisitioning a vote may be sent;
- (k) the notice states prominently that if:
 - (i) members who together hold at least 5% of the total value of the interests;
 - or

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- (ii) at least 100 members,

requisition a vote by giving written notice to the reply paid address within 21 days from the date that the notice may reasonably be expected to be received by them, a postal vote will be held on whether the Operator should be able to rely on this exception or should be required to comply with the usual ASIC policy concerning how a management agreement may be terminated;
 - (l) a postal vote is conducted if requisitioned in accordance with the notice as soon as practicable;
 - (m) if there is a postal vote:
 - (i) a voting paper must be sent to each member which states a reply paid address to which the voting paper may be sent;
 - (ii) members must be notified in, or in a document accompanying, the voting paper that only votes received at the reply paid address within 28 days after the issue of the voting paper will be counted and that the vote will be taken as passed if supported by either a majority by value or by number of votes cast (as specified in the notice); and
 - (iii) the voting paper must be accompanied by a notice that explains that unless members vote against permitting the Operator being allowed to rely upon this exception, the Operator may be permitted to do so despite the management agreement not complying with the usual ASIC policy concerning how a management agreement may be terminated;
 - (iv) the notice accompanying the voting paper must contain a summary of information that is materially relevant to a member's decision whether to vote for or against the proposed resolution; and
 - (n) ASIC is notified in writing where a vote was required and, if so, whether the vote was passed;
5. All expenditure by the Operator in relation to the Scheme must be made in compliance with a budget which sets out all estimated expenditure with reasonable particularity and which has been approved by the directors of the Operator prior to such expenditure being incurred.
6. The Operator must give a copy of the budget for a financial year approved by the directors to members with the notice of the annual general meeting of the Operator that occurs in that financial year, together with a statement specifying any changes that were made to any budget that had previously been given to members.
7. The Operator must maintain or causes to be maintained an account designated as a trust account into which all gross income of the Scheme must be paid to be held on

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trust for members and the Operator must ensure that money is disbursed from the account in accordance with its duties to members of the Scheme.

8. The Operator must cause the trust account to be audited by a registered company auditor at least once every 6 months.
9. The Operator must give a copy of the auditor's report to all members within 3 months after each audit.
10. The Operator complies with section 1017D of the Act as if the Scheme was registered.
11. The Operator of the Scheme establishes and maintains an adequate internal dispute resolution procedure:
 - (a) in accordance with subparagraph 912A(2)(a)(i) of the Act as if the Operator were a licensee that was subject to that subparagraph; and
 - (b) that covers complaints against the Operator made by members in connection with the operation of the Scheme.

Schedule C

1. The Operator does not sell more than 5% of the interests in the Scheme in one calendar year.
2. The Operator must ensure that any application for an investment in the Scheme is voidable at the option of the applicant during a period of
 - (a) if the Operator is a member of ATHOC and has not been notified in writing by ASIC that it cannot continue to give a cooling-off period of 7 calendar days not less than 7 days; or
 - (b) otherwise not less than 14 calendar days,commencing on the date on which the applicant acknowledged receipt of any required disclosure document and the cooling-off statement referred to in paragraph 4 of this Schedule.
3. The Operator must not resell any interest in the Scheme, unless the applicant has provided the acknowledgment of receipt referred to in paragraph 2 of this Schedule.
4. The Operator must ensure that each application form relating to an interest in the Scheme must be accompanied by a separate statement in a form approved by ASIC which:
 - (a) describes the effect of the cooling-off period referred to in paragraph 2 of this Schedule; and

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- (b) states that the signed application form will be of no effect unless the applicant also signs an acknowledgement of receipt of such a cooling-off statement.
5. The cooling-off rights referred to in paragraph 2 of this Schedule must be disclosed prominently in any required disclosure document and the application form which relate to the offer of interests in the Scheme.
6. The Operator must maintain written records relating to the issue by it of all cooling-off statements referred to in paragraph 4 of the Schedule, which include:
- (a) each applicant's signed acknowledgement of receipt of such a statement; and
 - (b) the date of issue of each statement; and
 - (c) the identity of the applicant to whom each statement has been issued.
7. The Operator must return the deposit for an interest in the Scheme, and must not deduct any fees or expenses, if the applicant decides not to proceed with the purchase of an interest in the Scheme during the cooling-off period referred to in paragraph 2 of this Schedule.
8. If the Operator receives a deposit for an interest in the Scheme, it must:
- (a) pay, by the next business day, the deposit into an account that is held with an Australian ADI into which only deposit monies from an application for the purchase of an interest in the Scheme and interest on those deposit monies are paid; and
 - (b) hold the deposit on trust for the applicant until the cooling-off period in paragraph 2 of this Schedule has expired.
9. The Operator establishes and maintains membership of an external dispute resolution scheme:
- (a) in accordance with subparagraph 912A(2)(b)(i) of the Act as if the Operator were a licensee that was subject to that subparagraph; and
 - (b) that covers complaints against the Operator made by members in connection with the operation of the Scheme.

Dated this 19th day of July 2013



.....
Signed by Tony Tran
as a delegate of the Australian Securities and Investments Commission

13-0993

**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 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.”

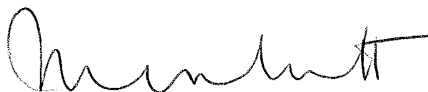
2. after subsection 601GAC(2) insert:

“(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

MLC Investments Limited ACN 002 641 661 in its capacity as responsible entity of the MLC Wholesale Inflation Plus – Conservative Portfolio ARSN 165 016 035.

Dated this 8th day of August 2013



Signed by Marie-Christine De Greeff
as a delegate of the Australian Securities and Investments Commission

13-0994

**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 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

MLC Investments Limited ACN 002 641 661 in its capacity as responsible entity of the MLC Wholesale Inflation Plus – Moderate Portfolio ARSN 165 016 151.

Dated this 8th day of August 2013



Signed by Marie-Christine De Greeff
as a delegate of the Australian Securities and Investments Commission

13-1013

**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 601A(1)(a) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 13-1013.

Commencement

3. This instrument commences on 9 August 2013.

Exemption

4. MCCA Asset Management Limited ACN 113 728 706 (*MCCA*) in its capacity as the responsible entity of the MCCA Property Fund ARSN 116 851 980 (the *fund*) does not have to comply with subsection 601ED(1) of the Act.

Where this instrument applies

5. This instrument applies in relation to the establishment by MCCA of a managed investment scheme (*sub-scheme*) under the terms of the constitution of the fund, where the constitution includes clauses to the following effect:
 - (a) when the members of a sub-scheme:
 - (i) approve the change of the trustee of the sub-scheme from MCCA to another entity,

the sub-scheme must be wound up;
 - (b) where members of a sub-scheme pass a special resolution directing that an amendment to the constitution be made, then MCCA must give reasonable consideration to whether the amendment would adversely affect the rights of members of the fund;
 - (c) where members of a sub-scheme pass a special resolution directing that an amendment to the constitution be made, then MCCA will amend the

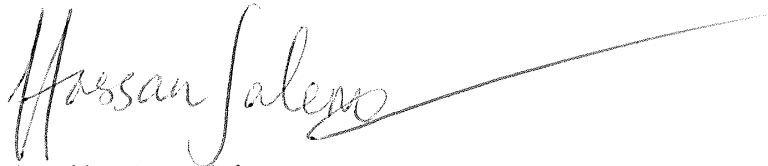
13-1013

constitution under paragraph 601GC(1)(b) of the Act where the following requirements are satisfied:

- (i) there is no adverse effect on the rights of a class of members of the fund; and
 - (ii) the amendment is not contrary to the best interests of members of the fund generally;
- (d) where a sub-scheme is extended, the sub-scheme will continue so that new entrants will become members of the sub-scheme and will agree to be bound by the terms of that sub-scheme by entering into it;
 - (e) where a sub-scheme is extended, members who choose to not stay in the sub-scheme will be replaced by new members;
 - (f) a statement of the time frame within which MCCA is required to accept or reject a request to withdraw interests in a sub-scheme;
 - (g) when MCCA accepts a withdrawal request, MCCA must pay the withdrawal price to the member and replace the member leaving the sub-scheme with a new member within 30 days;
 - (h) the ability of MCCA to raise debt is limited to the specific assets of the sub-scheme for which the funds raised are to be used;
 - (i) members of a sub-scheme cannot be liable for debts of MCCA that were incurred in capacity as the trustee of another sub-scheme or for the benefit of members of another sub-scheme;
 - (j) scheme property of a sub-scheme will not be encumbered in relation to a liability entered into for another sub-scheme;
 - (k) MCCA is not entitled to be indemnified out the scheme property of a sub-scheme in relation to liabilities or expenses incurred for another sub scheme; and
 - (l) MCCA will advise ASIC within 7 days of a new sub-scheme being established.
-

13-1013

Dated this 9th day of August 2013

A handwritten signature in black ink, reading "Hassan Salem". The signature is written in a cursive style and extends across the page with a long horizontal stroke.

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



13-1014

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Cambria Properties Limited
ACN: 118 976 819 ("the Licensee")
45 Boronia Avenue
Nedlands WA 6009

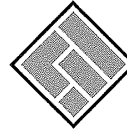
Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 302006 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 12th August, 2013.

A handwritten signature in black ink, appearing to be "Joyce Krashow".

Signed

Joyce Krashow, a delegate of the Australian Securities and Investments Commission



13-1015

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Nautilus Green Capital Pty Ltd
ACN: 146 451 372 ("the Licensee")
27 Beltana Street
Denistone NSW 2114

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 425617 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 12th August, 2013.

Signed

Joyce Krashow, a delegate of the Australian Securities and Investments Commission

13-1016

**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* (the *Act*).

Title

2. This instrument is ASIC Instrument 13-1016.

Commencement

3. This instrument commences on 12 August 2013.

Exemption

4. Goldman Sachs Australia Managed Funds Limited ACN 005 885 567 (*GSAMF*) in its capacity as the responsible entity of Portfolio Advantage ARSN 102 913 815 (*Scheme*) does not have to comply with paragraph 601FC(1)(d) of the Act, to the extent that it requires the responsible entity of a registered scheme to treat members who hold interests of the same class equally, in the case referred to in paragraph 5 of this instrument.

Where this instrument applies

5. GSAMF charges an administration fee (*Administration Fee*) as follows:
 - (a) members of the Scheme who are retail clients are charged an Administration Fee comprising:
 - (i) a fixed amount in respect of the interests that they hold in the Scheme, which are acquired using funds that are borrowed where it is reasonably apparent that the funds are borrowed; and
 - (ii) an amount that is an asset-based fee in respect of the interests that they hold in the Scheme, which are acquired using funds that are not borrowed, or where it is not reasonably apparent that the funds are borrowed; or
 - (b) members of the Scheme who are wholesale clients are charged an Administration Fee which is dependent on the amount of funds used or to be used to acquire interests in the Scheme.

Conditions

6. GSAMF must disclose:
-

13-1016

- (a) to existing members of the Scheme by way of a written notice (including by way of posting information on the website of the Scheme in a manner that is consistent with the Act):
 - (i) how the Administration Fee will be charged, including worked examples; and
 - (ii) that members may withdraw from the Scheme, without incurring any fees and charges that would otherwise be applicable to members withdrawing interests from the Scheme or ceasing to be members of the Scheme, at any time within a period of three months prior to GSAMF beginning to charge the Administration Fee; and
 - (b) the Administration Fee to prospective members of the Scheme by way of the provision of a Product Disclosure Statement or a Supplementary Product Disclosure Statement.
7. GSAMF must not charge the Administration Fee on borrowed amounts to members of the Scheme until at least 3 months after the Administration Fee is disclosed to members of the Scheme.
8. GSAMF must not charge the fees and charges that would otherwise be applicable to members withdrawing interests from the Scheme or ceasing to be members of the Scheme, at any time within a period of three months prior to GSAMF beginning to charge the Administration Fee.
9. GSAMF must ensure that the Administration Fee does not adversely affect members of the Scheme in any way other than as contemplated in paragraph 5 of this instrument.
10. GSAMF must ensure that where the fee arrangement referred to in paragraph 5 of this instrument is in place or is to be offered, that arrangement is applied without discrimination to all members who satisfy the criteria necessary to be treated in accordance with that paragraph.

Interpretation

11. In this instrument:

asset-based fee has the meaning given to that term by section 964F of the Act.

borrowed has the meaning given to that term by subsection 964G(1) of the Act.

member has the meaning given to that term by section 9 of the Act.

Product Disclosure Statement has the meaning given to that term by section 761A of the Act.

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reasonably apparent has the meaning given to that term by section 964H of the Act.

retail client has the meaning given to that term by subsection 761G(1) of the Act.

Supplementary Product Disclosure Statement has the meaning given to that term by section 761A of the Act.

wholesale client has the meaning given to that term by subsection 761G(4) of the Act.

Dated this 12th day of August 2013



Signed by Sean Polivnick
as a delegate of the Australian Securities and Investments Commission

13-1034

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 911A(2)(l) – Exemption**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 911A(2)(l) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Instrument 13-1034.

Commencement

3. This instrument commences on gazettal.

Exemptions

4. TMIL and TCGL are exempt from Part 7.6 of the Act where either of them provides financial product advice in connection with the Transaction.

Where this instrument applies

5. This instrument applies where TMIL or TCGL provides financial product advice where that advice is general advice contained in the Explanatory Memorandum or the Disclosure Document.

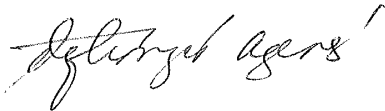
Interpretation

6. In this instrument:
 - (a) **Disclosure Document** means the combined prospectus and Product Disclosure Statement which is substantially in the same form as that provided to ASIC on or about 12 August 2013 in respect of TCGL and TPF12 for disclosure to members under the Transaction.
 - (b) **Explanatory Memorandum** means the explanatory memorandum in respect of the TOF4 Restructure and the Transaction which is substantially in the same form as that provided to ASIC on or about 12 August 2013.
 - (c) **TCGL** means Trafalgar Corporate Group Limited ACN 113 569 136.

13-1034

- (d) **TMIL** means Trafalgar Managed Investments Limited ACN 090 664 396 as responsible entity of TOF4 and TPF12.
- (e) **TOF4 Restructure** means the restructure of TOF4 and TPF12 such that TOF4 becomes a sub-trust of TPF12 as described in the Explanatory Memorandum.
- (f) **TOF4** means the Trafalgar Opportunity Fund No 4 ARSN 107 416 348.
- (g) **TPF12** means the Trafalgar Platinum Fund No 12 ARSN 104 552 598.
- (h) **Transaction** means the transactions contemplated by the Explanatory Memorandum and Disclosure Document.

Dated this 16th day of August 2013



Signed by Dulce Asensi
as a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001
Section 601CL(5)

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

Dated this sixteenth day of August 2013

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company**ARBN**

APAC APEMM FUND	139 841 795
ARC SOLUTIONS (INTERNATIONAL) LIMITED	124 177 840
BILFINGER BERGER SE	081 929 473
CENTY NEW ZEALAND LIMITED	148 005 314
DATAPULSE LIMITED	122 648 533
FEIT INTERNATIONAL LIMITED	119 484 178
KEEGAN RESOURCES INC.	162 202 002
KIWI COLLECTION INC.	140 204 379
NORITZ CORPORATION	114 344 713
PHARSIGHT INTERNATIONAL CO.	109 299 194
PROCURE4 LIMITED	139 901 269
RUGGEDCOM INC.	140 333 268
TEG B.V.	094 126 477
TRUE BRIGHT CORPORATION LIMITED	151 790 822
VISA BUREAU LTD	120 251 210
YUBET.COM, INC.	090 852 252

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.

ARCADIA RESOURCES LIMITED

ACN 126 192 452 will change to a proprietary company limited by shares. The new name will be ARCADIA RESOURCES PTY LTD
ACN 126 192 452.

ENERSUS LTD ACN 121 260 017 will change to a proprietary company limited by shares. The new name will be ENERSUS PTY LTD
ACN 121 260 017.

KUDU RESOURCES LIMITED

ACN 114 165 936 will change to a proprietary company limited by shares. The new name will be KUDU RESOURCES PTY LTD
ACN 114 165 936.

PLANT VARIETIES AUSTRALIA PTY LTD ACN 163 750 105 will change to a public company limited by shares. The new name will be PLANT VARIETIES AUSTRALIA LTD
ACN 163 750 105.

SHINE LAWYERS LIMITED ACN 134 702 757 will change to a proprietary company limited by shares. The new name will be SHINE LAWYERS PTY LTD ACN 134 702 757.

CONCEPT ASSET INVESTMENTS LIMITED

ACN 162 175 939 will change to a proprietary company limited by shares. The new name will be CONCEPT ASSET INVESTMENTS PTY LTD
ACN 162 175 939.

EXPRESS MORTGAGE AUSTRALIA PTY LTD

ACN 161 910 694 will change to a public company limited by shares. The new name will be EXPRESS MORTGAGE AUSTRALIA LIMITED
ACN 161 910 694.

LISA HO DESIGNS LIMITED ACN 002 972 732

will change to a proprietary company limited by shares. The new name will be LISA HO DESIGNS PTY LTD ACN 002 972 732.

RATTOON HOLDINGS LIMITED

ACN 076 611 268 will change to a proprietary company limited by shares. The new name will be RATTOON HOLDINGS PTY LTD
ACN 076 611 268.

TAM ENTERPRISES AUSTRALIA PTY LTD

ACN 161 544 010 will change to a public company limited by shares. The new name will be TAM ENTERPRISES AUSTRALIA LIMITED
ACN 161 544 010.