



Commonwealth of Australia Gazette

No. ASIC 02/07, Tuesday, 16 January 2007

Published by ASIC

SIC Gazette

Contents

Notices under Corporations Act 2001

06/1152	06/1153
06/1154	06/1155
06/1156	07/0006
07/0007	07/0008
07/0011	07/0012
07/0013	07/0014
07/0015	07/0016
07/0017	

Change of company status

RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the Corporations Act and the other legislation administered by ASIC may have rights of review. ASIC has published Practice Note 57 [PN57] Notification of rights of review and Information Sheet [INFO 1100] ASIC decisions - your rights to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at www.asic.gov.au or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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

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

© Commonwealth of Australia, 2007

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 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 30 October 2007.

SCHEDULE

Winpar Holdings Limited ACN 003 035 523

Dated: 21 December 2006

Signed:

Casandra Francas, as a Delegate of the

Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 20 December 2007.

SCHEDULE

Winpar Holdings Limited ACN 003 035 523

Dated: 20 December 2006

Signed:

Casandra Francas, as a Delegate of the

Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 - Paragraphs 601QA(1)(b), 741(1)(b) and 1020F(1)(c) Declarations

- 1. 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 Schedule A in the case set out in Schedule C as if Chapter 5C were modified or varied as follows:
 - (a) omit paragraph 601FC(1)(c), substitute:
 - "(c) act in the best interests of the members (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in one or more bodies, where the interests and shares are components of a stapled security) and, if there is a conflict between the interests of the members and its own interests, give priority to the members' interests; and"; and
 - (b) omit paragraph 601FD(1)(c), substitute:
 - "(c) act in the best interests of the members (having regard to their interests as holders of interests in the scheme and their interests as holders of shares in one or more bodies, where the interests and shares are components of a stapled security) and, if there is a conflict between the interests of the members and the interests of the responsible entity, give priority to the members' interests; and"; and
 - (c) after notional subsection 208(2) as included in section 601LC, insert:
 - "(2A) Member approval is not required for the giving of a benefit and the benefit need not be given within 15 months if:
 - (a) the benefit either:
 - (i) is given out of the scheme property of a registered scheme (the *scheme*); or
 - (ii) could endanger the scheme property; and
 - (b) each of the interests in the scheme is a component part of a stapled security, together with shares in one or more bodies (the *stapled body*); and
 - (c) the benefit is given by:

06/1154

- (i) the responsible entity; or
- (ii) an entity that the responsible entity controls; or
- (iii) an agent of, or person engaged by, the responsible entity; and
- (d) the benefit is given:
 - (i) to the stapled body, or to any wholly owned entity of the stapled body;
 - (ii) to an entity in which all of the shares or interests are held by one or more of:
 - (A) the scheme, or any wholly owned entity of the scheme; or
 - (B) the stapled body or bodies.
- (2B) For the purposes of this section:
 - (a) An entity is wholly owned by another entity if all of the shares or interests (as applicable) in the first-mentioned entity are held by (in the case of the second-mentioned entity being a body), or form part of the trust property of (in the case of the second-mentioned entity being a trust), the second-mentioned entity or a wholly owned entity of it; and
 - (b) A reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries."; and
- (d) after section 601PC, insert:
 - "601PD For the purposes of sections 601FC, 601FD and 601LC:

stapled security means two or more financial products including at least one interest in a registered scheme where:

- (a) under the terms on which each of the products are to be traded, they must be transferred together; and
- (b) there are no financial products in the same class as those financial products which may be transferred separately.".
- Under paragraph 601QA(1)(b) of the Act, ASIC declares that Chapter 5C of the
 Act applies to the person specified in Schedule A in the case set out in Schedule
 C as if section 601GAA as notionally inserted into the Act by ASIC Class
 Order [CO 05/26] were modified or varied by inserting after subsection

601GAA(9):

06/1154

- "(9A) The responsible entity may set the issue price of interests in the scheme that are components of stapled securities where all of the following apply:
 - (a) the constitution makes provision for the issue price of stapled securities;
 - (b) the constitution provides that the responsible entity may allocate a proportion of the issue price of the stapled securities to the interests;
 - (c) the stapled securities are issued at a price, or in accordance with a formula or method that is to be used to calculate the issue price of the stapled securities, which is set out in the constitution;
 - (d) the responsible entity allocates a proportion of the issue price of the stapled securities to the interests in accordance with the constitution.".
- 3. Under paragraph 741(1)(b) of the Act, ASIC declares that Part 6D.2 of the Act applies to the person specified in Schedule B in the case set out in Schedule D as if subsection 708(13) were modified by omitting paragraph 708(13)(b) and substituting:
 - "(b) an offer of fully-paid shares in a body to 1 or more existing holders of shares in the body, under a plan for the reinvestment of at least one of the following:
 - (i) dividends in respect of shares in the body;
 - (ii) distributions in respect of interests in a registered managed investment scheme which, under the terms on which they may be traded, must only be transferred together with shares in the body.".
- 4. Under paragraph 1020F(1)(c) of the Act, ASIC declares that Part 7.9 of the Act applies in relation to the person specified in Schedule A in the case set out in Schedule D as if subsection 1012D(3) were modified as follows:
 - (a) in paragraph 1012D(3)(b) omit "either:", substitute "one or more of the following applies:"; and
 - (b) in subparagraph 1012D(3)(b)(i) omit "or" (second occurring); and
 - (c) in subparagraph 1012D(3)(b)(ii) omit ".", substitute ";"; and

(d) after subparagraph 1012D(3)(b)(ii), insert:

06/1154

- "(iii) in a recommendation situation the advice that constitutes the relevant conduct relates to an offer of interests in one or more registered schemes, under a plan for the reinvestment of at least one of the following:
 - (A) distributions in respect of interests in the scheme;
 - (B) dividends in respect of shares in one or more bodies which, under the terms on which they may be traded, must only be transferred together with interests in the scheme;
- (iv) in an issue situation the offer or issue that constitutes the relevant conduct is an offer or issue of interests in a registered scheme, under a plan for the reinvestment of at least one of the following:
 - (A) distributions in respect of interests in the scheme;
 - (B) dividends in respect of shares in one or more bodies which, under the terms on which they may be traded, must only be transferred together with interests in the scheme."

Schedule A

Abacus Funds Management Limited ACN 007 415 590 ("AFML") in its capacity as responsible entity of Abacus Hospitality Trust ARSN 123 146 798 ("AHT")

Schedule B

Abacus Hospitality Limited ACN 116 839 304 ("AHL")

Schedule C

Where under the terms on which shares in AHL, and interests in AHT, are to be traded, they must be transferred together.

06/1154

Schedule D

Offers or issues of, or recommendations to acquire, shares in AHL or interests in AHT, under a plan for the reinvestment of dividends in respect of shares in AHL or distributions in respect of interests in the AHT, where under the terms on which those shares and interests may be traded, they must be transferred together.

Dated this 22 day of December 2006

Signed by Cathy Chan

C. Cla

as a delegate of Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 - Paragraphs 601QA(1)(a), 911A(2)(l), 951B(1)(a) and 992B(1)(a) - Exemptions

1. <u>Managed investment scheme relief</u>

Under paragraph 601QA(1)(a) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission exempts Rismark, each Lender and each eligible associate of Rismark from Chapter 5C of the Act in relation to the operation of a managed investment scheme that arises under an Equity Finance Mortgage (*EFM*) entered into between the Lender and the Borrower, on the conditions set out in Schedule A for so long as they are met.

2. Licensing relief

Under paragraph 911A(2)(1) of the Act, the Australian Securities and Investments Commission exempts Rismark and each eligible associate of Rismark from the requirement to hold an Australian financial services licence for:

- (a) the provision of the financial services of arranging for the Borrower or Lender to apply for, acquire, issue, vary or dispose of a facility for making a financial investment or an interest in a managed investment scheme that arises under an EFM entered into or that may be entered into between the Lender and the Borrower; and
- (b) the provision of the financial service of providing financial product advice to an eligible associate of Rismark in relation to a facility for making a financial investment or an interest in a managed investment scheme that arises under an EFM entered into or that may be entered into between the Lender and the Borrower

on the conditions set out in Schedule A for so long as they are met.

3. Conduct relief

Under paragraphs 951B(1)(a) and 992B(1)(a) of the Act, the Australian Securities and Investments Commission exempts Rismark and each eligible associate of Rismark that holds an Australian financial services licence from compliance with Part 7.7 and 7.8 (other than Division 8 of Part 7.8) of the Act in relation to the financial services of:

- (a) arranging for the Borrower or Lender of an EFM to apply for, acquire, issue, vary or dispose of a facility for making a financial investment or an interest in a managed investment scheme that arises under an EFM entered into or that may be entered into between the Lender and the Borrower; and
- (b) providing financial product advice to an eligible associate of Rismark in relation to a facility for making a financial investment or an interest in a managed investment scheme or that arises under an EFM entered into between the Lender and the Borrower;

on the conditions set out in Schedule A for so long as they are met.

06/1155

Schedule A

- 1. At all times the Borrower has access to a dispute resolution system in relation to the eligible associates of Rismark granted relief under paragraph 2 of this instrument and the Lender approved by ASIC for the purposes of paragraph 912A(1)(g) of the Act and that covers disputes about:
 - (a) the operation or administration of the EFM; and
 - (b) the promotion or distribution of the EFM.
- 2. At the times set out below, the Borrower is given the following information prepared by Rismark as if the EFM was a financial product and Rismark was the issuer of the EFM within the meaning of the Act:
 - (a) at or before the time the Borrower enters into the EFM:
 - (i) the EFM Documents; and
 - (ii) a written statement (worded and presented in a clear, concise and effective manner) that:
 - A. contains the information required by Division 2 of Part 7.9 (except section 1013B) of the Act¹ in relation to the EFM; and
 - B. without limiting condition 2(a)(ii)(A) above, includes:
 - (I) a prominent statement to the effect that, subject to the terms of the EFM Documents, the Borrower will be required to pay a share of any increase in value of the mortgaged property to the lender;
 - (II) sample calculations of the share of any increase and of any decrease in the value of the mortgaged property that may be paid to or borne by the lender;
 - (III) the information in relation to an EFM described in Schedule B presented in a Question and Answer format; and
 - (b) at the times that would be required by section 1017B of the Act, a written statement setting out the information required by that section in relation to the EFM.

¹ The information requirements in Division 2 of Part 7.9 of the Act include the information required under sections 1013C to 1013F, section 1013G and section 1013K of the Act.

Schedule B

06/1155

- 1. The nature and cost of the EFM arrangements and how they differ from a traditional home mortgage.
- 2. How much of the capital gain the Borrower(s) will be entitled to retain.
- 3. The restrictions on the Borrower(s) in dealing with the property under the EFM.
- 4. The rules that apply in relation to alterations and improvements to the property.
- 5. The limits on the Borrower's ability to re-finance any prior ranking mortgage during the term of the EFM.
- 6. The effect of death, divorce, bankruptcy or (in the case of a body corporate) dissolution of any of the Borrower(s) under the EFM.
- 7. The effect under the EFM if any buildings on the property are destroyed.
- 8. All the costs, fees or charges under the EFM.
- 9. What constitutes default and what happens in the event of a default.
- 10. Liability for any Capital Gains Tax.
- 11. The dispute resolution arrangements available to the Borrower.
- 12. The general effects that an EFM may have on an existing traditional home mortgage.

Interpretation

In this instrument:

Borrower means a person who borrows money from the Lender on security of an EFM.

eligible associate of Rismark means a person who is an associate of Rismark in that the person is part of the financing or distribution arrangements established by Rismark in relation to an EFM entered into or to be entered into between the Lender and the Borrower and that is sourced from the assets of a trust known as the RIFM Trust established by Rismark by deed poll dated 28 September 2005.

Equity Finance Mortgage or EFM means an arrangement described as an equity finance mortgage under which the Lender provides funds to a Borrower for no fixed term or, to the extent that there is a fixed term, for a fixed term which does not expire any earlier than the 20th anniversary of the date of the relevant loan agreement on

06/1155

security of a mortgage over property on the basis of EFM Documents that provide that the Lender:

- (a) may loan up to 20% of the value of the property;
- (b) charges no interest to the Borrower during the term of the loan unless the Borrower has first defaulted under the EFM Documents;
- (c) is entitled to a percentage of any increase in value of the mortgaged property over the term of the loan that is up to twice the percentage of value loaned for the purposes of paragraph (a) above; and
- (d) agrees to reduce the amount to be repaid by the Borrower by a percentage of any decrease in value of the mortgaged property over the term of the loan that is equal to the percentage of value loaned for the purposes of paragraph (a) above.

EFM Documents means:

- (a) a document setting out the general terms of the loan agreement to be entered into by the Borrower;
- (b) a document setting out the specific details of the loan to be made to the Borrower including the loan amount and the amount of commissions, fees and charges; and
- (c) a document that is the mortgage to be granted by the Borrower.

facility for making a financial investment means the financial product described in paragraph 763A(1)(a) of the Act.

Lender means Permanent Custodians Limited ACN 001 426 384 or a person who is the holder of an Australian financial services licence that is an associate of Rismark in that the person has been nominated by Rismark to provide funds to a Borrower under an EFM.

Rismark means Rismark International Funds Management Limited ACN 114 530 139.

Commencement

The exemptions in paragraphs 1 and 3 of this instrument take effect on the day that it is made. The exemption in paragraph 2 of this instrument takes effect on gazettal.

Dated the 20th day of December 2006

Signed by Fleur Grey

as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) —Revocation

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission hereby revokes the determination made on 20 December 2006 that the person specified in the Schedule may not rely on section 713 of the Act until 20 December 2007.

SCHEDULE

Winpar Holdings Limited ACN 003 035 523

Dated: 21 December 2006

Signed:

Casandra Francas, as a Delegate of the

Australian Securities and Investments Commission





Australian Securities & Investments Commission Corporations Act 2001 Section 915B

Notice of Cancellation of an Australian Financial Services Licence

TO: Aviation Office of Australia Pty Ltd, ACN 002 490 584 ("the Licensee") L9, 133 Mary Street, BRISBANE QLD 4000

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 241503 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 4 January 2007

Signed

Frank Varga, a delegate of the Australian Securities and Investments Commission





Australian Securities & Investments Commission Corporations Act 2001 Section 915B

Notice of Cancellation of an Australian Financial Services Licence

TO: Synergy Advisory Services Pty Ltd, ACN 068 908 878 ("the Licensee") L9, 175 Eagle Street, BRISBANE QLD 4000

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 234589 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 4 January 2007

Signed

Frank Varga, a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 31 October 2007.

SCHEDULE

Voltage IP Limited ACN 057 884 876

Dated: 3 January 2007

Signed:

Casandra Francas, as a Delegate of the

Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 5 January 2008.

SCHEDULE

Avantogen Limited ACN 007 701 715

Dated: 5 January 2007

Signed by Casandra Francas, as a Delegate of the Australian Securities and Investments Commission

ranças

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 30 October 2007.

SCHEDULE

LV Living Limited, ACN 058 834 343

Dated: 5 January 2007

Signed by Casandra Francas, as a Delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 17 November 2007.

SCHEDULE

Pritchard Equity Limited ACN 100 517 404

Dated: 4 January 2007

Signed by Casandra Francas, as a Delegate of the Australian Securities and Investments Commission

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

Pursuant to paragraph 655A(1)(b) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission ("ASIC") declares that Chapter 6 of the Act applies to the person specified in Schedule A in the case specified in Schedule B as if paragraph 612(f) of the Act were modified or varied by deleting the words "items 2, 3 and 6" and inserting the words "items 2 and 3".

Schedule A

Cabcharge Australia Limited ACN 001 958 390 ("Cabcharge")

Schedule B

The off-market bid by Cabcharge for all of the A and B class shares in Newcastle Taxis Limited (ACN 121 237 385) ("Target") in respect of which:

- (a) a bidder's statement was lodged with ASIC on 28 November 2006 (the "Original Bidder's Statement");
- (b) Cabcharge purported to lodge a replacement bidder's statement on 22 December 2006;
- (c) having not complied with its conditions, Cabcharge does not have the benefit of relief provided by ASIC Class Order [00/344] Changes to a bidder's statement between lodgement and despatch;
- (d) on or around 5 January 2007 Cabcharge lodged with ASIC and sent to the Target:
 - (i) a supplementary bidder's statement;
 - (ii) a replacement bidder's statement (being a bidder's statement that incorporates all the substantive information in the Original Bidder's Statement and in each supplementary bidder's statement that was lodged in relation to the Original Bidder's Statement before, or at the same time as, the time when the replacement bidder's statement was lodged); and
 - (iii) a copy of that replacement bidder's statement marked to show all changes from the Original Bidder's Statement;
- (e) Cabcharge sends the replacement bidder's statement to all holders of securities the subject of the bid no earlier than 14 days and no later than 28 days after the replacement bidder's statement is lodged with ASIC and sent to the Target unless:

Notices under Corporations Act 2001

07/0014

- (i) the Target agrees in writing, following approval of this agreement in any of the ways a target's statement must be approved under subsection 639(1); or
- (ii) ASIC agrees in writing; in which cases the replacement bidder's statement may be sent to all holders of securities the subject of the bid less than 14 days after the replacement bidder's statement is lodged with ASIC and sent to the Target;
- (f) Cabcharge dates the replacement bidder's statement with the day on which it lodges the replacement bidder's statement; and
- (g) Cabcharge in the replacement bidder's statement:
 - (i) explains that the replacement bidder's statement replaces the Original Bidder's Statement; and
 - (ii) gives the date that the Original Bidder's Statement was lodged.

Dated this 5th day of January 2007

Juna: Mute

Signed by Justine White

as a delegate of the Australian Securities and Investments Commission

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

Pursuant to paragraph 655A(1)(a) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission ("ASIC") exempts the person specified in Schedule A in the case specified in Schedule B from paragraph 647(3)(c) of the Act on the conditions set out in Schedule C and for so long as they are met.

Schedule A

Cabcharge Australia Limited ACN 001 958 390 ("Cabcharge")

Schedule B

A supplementary bidder's statement lodged on or around 5 January 2007 by Cabcharge in respect of its off-market bid for all of the A and B class shares in Newcastle Taxis Limited (ACN 121 237 385) ("Target") in respect of which a bidder's statement was lodged with ASIC on 28 November 2006 (the "Original Bidder's Statement).

Schedule C

- 1. Cabcharge lodges with ASIC and sends to the Target a replacement bidder's statement and a copy of that replacement bidder's statement marked to show all changes from the Original Bidder's Statement.
- 2. Cabcharge sends the replacement bidder's statement to all holders of securities the subject of the bid.
- 3. Cabcharge satisfies condition 2 no earlier than 14 days and no later than 28 days after condition 1 is satisfied unless:
 - (i) the Target agrees in writing, following approval of this agreement in any of the ways a target's statement must be approved under subsection 639(1); or
 - (ii) ASIC agrees in writing;
 - in which cases condition 2 may be satisfied less than 14 days after condition 1 is satisfied.
- 4. Cabcharge dates the replacement bidder's statement with the day on which it lodges the replacement bidder's statement.
- 5. Cabcharge in the replacement bidder's statement:
 - (a) explains that the replacement bidder's statement replaces the Original Bidder's Statement; and
 - (b) gives the date that the Original Bidder's Statement was lodged.

Interpretation

In this instrument "replacement bidder's statement" means a bidder's statement that incorporates all the substantive information in the Original Bidder's Statement and in each supplementary bidder's statement that was lodged in relation to the Original Bidder's

Statement before, or at the same time as, the time when the replacement bidder's statement is lodged

Dated this 5th day of January 2007

Signed by Justine White

Justine white

as a delegate of the Australian Securities and Investments Commission

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

Pursuant to subsections 655A(1) and 673(1) of the *Corporations Act 2001* (the "Act") the Australian Securities and Investments Commission ("ASIC") declares that Chapters 6 and 6C of the Act apply to the person named in Schedule A in the case referred to in Schedule B as if section 9 of the Act was modified or varied by omitting the definition of "*listed*" and substituting:

"listed: a company, managed investment scheme or other body is listed if it is included in the official list of a prescribed financial market operated in this jurisdiction and has more than 50 members.".

SCHEDULE A

Southern Cross Airports Corporation Holding Limited ACN 098 082 029 (the "Company").

SCHEDULE B

The issue by the Company of subordinated unsecured notes called Sydney Kingsford Smith Interest Earning Securities ("SKIES") where:

- the Company is only included in the official list of the financial market operated by ASX Limited ACN 008 624 691 for the purpose of the SKIES being listed for quotation on that financial market;
- 2. the SKIES carry no present or future voting rights in the Company; and
- 3. each shareholder of the Company, as at the date of this instrument, has provided to ASIC, and not withdrawn, written consent confirming they agree to waive the protections that may be provided by operation of the provisions in Chapter 6 of the Act.

Dated the 5th day of January 2007

Signed by Rupert Clive Smoker

as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 713(6) — Determination

Pursuant to subsection 713(6) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on section 713 of the Act from the date of this instrument until 2 November 2007.

SCHEDULE

Haoma Mining NL ACN 008 676 177

Dated: 10 January 2007

Signed by Casandra Francas, as a Delegate of the Australian Securities and Investments Commission

rancas

ASIC 02/07, Tuesday, 16 January 2007

Change of company status

Page 25 of 25

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 Administration Appeals Tribunal prevents it from doing so.

APT PETROLEUM PIPELINES LIMITED ACN 009 737 393 will change to a proprietary company limited by shares. The new name will be APT PETROLEUM PIPELINES PTY LIMITEDACN 009 737 393.

DRAGON MINING NL ACN 009 450 051 will change to a public company limited by shares. The new name will be DRAGON MINING LIMITED ACN 009 450 051.

GDI PROPERTY GROUP LTD ACN 115 253 159 will change to a proprietary company limited by shares. The new name will be GDI PROPERTY GROUP PTY LTD ACN 115 253 159.

KEY PETROLEUM PTY LTD ACN 120 580 618 will change to a public company limited by shares. The new name will be KEY PETROLEUM LIMITED ACN 120 580 618.

21ST CENTURY SECURITY WORLDWIDE PTY LTD ACN 111 326 295 will change to a public company limited by shares. The new name will be 21ST CENTURY SECURITY WORLDWIDE LIMITED ACN 111 326 295.

CLOVELY ESTATE LIMITED ACN 078 416 369 will change to a proprietary company limited by shares. The new name will be CLOVELY ESTATE PTY LTD ACN 078 416 369.

EAST AUSTRALIAN PIPELINE LIMITED ACN 064 629 009 will change to a proprietary company limited by shares. The new name will be EAST AUSTRALIAN PIPELINE PTY LIMITEDACN 064 629 009.

IMPACT FUNDING LIMITED ACN 109 006 126 will change to a proprietary company limited by shares. The new name will be A.C.N. 109 006 126 PTY LTD ACN 109 006 126.

UNITED INNKEEPER ASSOCIATION LIMITED ACN 006 607 825 will change to a public company limited by guarantee.

WHITEHAVEN COAL MINING PTY LTD ACN 086 426 253 will change to a public company limited by shares. The new name will be WHITEHAVEN COAL MINING LIMITED ACN 086 426 253.