



Commonwealth of Australia



ASIC

Australian Securities &
Investments Commission

Commonwealth of Australia Gazette

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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.

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**Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 341(1) — Order 04 / 1168**

Under subsection 341(1) of the *Corporations Act 2001* the Australian Securities and Investments Commission (“ASIC”) makes an order in respect of National Australia Bank Limited (ACN 004 044 937) (“the Company”) and its related bodies corporate, relieving Ernst & Young Australia (“EYA”) and the members of EYA from subsections 324CF(1) and (2) of the Act for the period from 1 October 2004 to 30 November 2004 (“the Relief Period”) in respect of the relationships set out in the Schedule on the following conditions:

1. The existence of this order is disclosed and its terms are summarised in the directors' reports of the Company for the half year ending 31 March 2005 and the year ending 30 September 2005, and in the directors' reports of any related body corporate of the Company that is required to lodge a financial report for either or both of those periods;
2. The Company reports to ASIC within seven days of its occurrence, any event of default and any enforcement action taken in relation to the debt referred to in paragraph 1 of the Schedule;
3. At intervals of not greater than two business days during the Relief Period, and forthwith after the Relief Period, EYA causes the balance in the bank account referred to in paragraph 2 of the Schedule to be transferred to an account maintained by EYA with an Australian ADI that is not the Company or a related body corporate of the Company; and
4. Within seven days after the signing of the audit report relating to the Company's financial reports for the year ending 30 September 2005:
 - (a) the directors of the Company report to ASIC stating whether or not in the opinion of the Company's Audit Committee, conditions 1, 2 and 3 of this order have been complied with; and
 - (b) EYA reports to ASIC stating whether or not the conduct of the audit or the content of the audit report has been influenced by the matters referred to in the Schedule.

Schedule


1. The relationship (of a kind referred to in Item 15 of section 324CH of the Act) that consists in a sole member of EYA owing an amount to the Company of more than \$5000 but less than \$1,200,000, solely as a result of that member also being a member of the "Small Crumbs Partnership", the principal asset of which is a property in North Avoca, New South Wales, and where:
 - (a) that partner is not engaged on the audit of the Company or a related body corporate of the Company, whether having actual carriage and control of the audit or not;

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- (b) that partner is not involved in the management of the firm as a whole, does not undertake audits, and does not practice mainly in Melbourne;
 - (c) the indebtedness arose upon ordinary commercial terms as to the rate of interest, the terms of repayment of principal and payment of interest, the security to be provided and otherwise; and
 - (d) the indebtedness arose prior to 31 July 2004.
2. The relationship (of a kind referred to in Item 16 of section 324CH of the Act) that consists in EYA maintaining one bank account only with the Company into which deposits may be made, where such account is at no time overdrawn other than by reason of the imposition of fees and taxes ordinarily applied to accounts of that type.

Dated this 30th day of September 2004



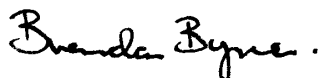
Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments Commission

0 4 / 1 1 6 9

Australian Securities and Investments Commission
Corporations Act 2001 — Subsections 741(1) and 1020F(1) — Declaration

Under subsections 741(1) and 1020F(1) of the *Corporations Act 2001* (“the Act”), the Australian Securities and Investments Commission declares that Chapter 6D and Part 7.9 of the Act apply in relation to National Australia Bank Limited (ACN 004 044 937) as if subparagraph (b)(iii) of the definition of “*continuously quoted securities*” in section 9 of the Act as modified by Class Order [01/1455] were further modified by omitting the text “or [00/2449]” and substituting the text “, [00/2449] or Order [04/1168]”.

Dated the 30th day of September 2004



Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments Commission

0 4 / 1 1 7 0

Australian Securities and Investments Commission
Corporations Act 2001 — Subsections 741(1) and 1020F(1) — Declaration

Under subsections 741(1) and 1020F(1) of the *Corporations Act 2001* (“the Act”), the Australian Securities and Investments Commission declares that, in relation to securities in National Australia Bank Limited (ACN 004 044 937):

- (a) Chapter 6D of the Act applies to all persons as if paragraph 708A(5)(d) in that Chapter; and
- (b) Part 7.9 of the Act applies in relation to all persons as if paragraph 1012DA(5)(d) in that Part,

each as modified by Class Order [04/672], were each further modified by omitting the text “or [00/2449]” and substituting the text “, [00/2449] or Order [04/1168]”.

Dated the 30th day of September 2004



Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments Commission

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Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 951B(1)(c) and 1020F(1)(a) and (c) —
Declaration and exemption

Under paragraphs 951B(1)(c) and 1020F(1)(c) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (*ASIC*) declares that:

1. Part 7.7 of the Act applies in relation to each financial services licensee and each authorised representative of such a licensee as if subregulations 7.7.10A(2), (4) and (6) were modified or varied by omitting "1 January 2005" and substituting "1 March 2005"; and
2. Part 7.9 of the Act applies in relation to each issuer of a financial product as if subregulations 7.9.15A(2) and 7.9.74A(2) were modified or varied by omitting "1 January 2005" and substituting "1 March 2005".

And under paragraph 1020F(1)(a) of the Act ASIC exempts each issuer of a financial product from subsection 1017D(1) of the Act insofar as it requires details to be included in a periodic statement prepared before 1 March 2005 to be in the form specified in subregulation 7.9.19A(1) and paragraph 7.9.20A(1)(a) of the *Corporations Regulations 2001* as in force from 1 January 2005.

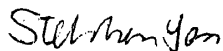
Interpretation

In this instrument:

authorised representative has the meaning given by section 761A of the Act; and

issuer has the meaning given by section 761E of the Act.

Dated this 6th day of October 2004



Signed by Stephen Yen
as a delegate of the Australian Securities and Investments Commission

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

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Pursuant to subsection 601QA(1) of the *Corporations Act 2001* the Australian Securities and Investments Commission ("ASIC") hereby varies:

1. each instrument listed in Schedule A by replacing the text "30 September 2004" in subparagraph (b)(iii)(A) of that instrument with the text "30 June 2005";
2. each instrument listed in Schedule B by replacing the text "30 September 2004" in paragraph (5)(b) of Schedule C of that instrument with the text "30 June 2005"; and
3. each instrument listed in Schedule C by replacing the text "30 September 2004" in subparagraph (5)(c)(i) of Schedule C of that instrument with the text "30 June 2005".

Schedule A

1. ASIC instrument No. 01/0432, dated 30 March 2001, exempting Shearwater Country Club Resort Ownership (Tasmania) Limited ACN 009 553 762 in relation to Shearwater Country Club located at the Boulevarde, Shearwater, Tasmania.
2. ASIC instrument No. 01/0434, dated 30 March 2001, exempting Timesharing WA Pty Ltd ACN 008 768 661 in relation to Busselton Beach Resort.
3. ASIC instrument No. 01/0727, dated 13 June 2001, exempting Pacific View Resort No. 2 Limited ACN 010 318 297 in relation to Pacific View Resort located at 34 Victoria Terrace, Caloundra, Queensland.
4. ASIC instrument No. 01/0890, dated 12 July 2001, exempting Palm Court Limited ACN 010 074 334 in relation to Palm Court Resort located at 25 Mitti Street, Noosa Heads, Queensland.

Schedule B

1. ASIC instrument No. 01/0426, dated 30 March 2001, exempting Capri Waters Country Club Limited ACN 003 238 051 in relation to Capri Waters Country Club.
2. ASIC instrument No. 01/0427, dated 30 March 2001, exempting Seashells Limited ACN 001 722 541 in relation to Seashells Interim Trust.

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Schedule C

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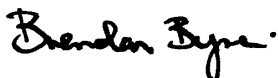
1. ASIC instrument No. 01/264, dated 28 March 2001, exempting Pacific Palms Resort Limited ACN 002 937 920 in relation to Pacific Palms Resort Trust.
2. ASIC instrument No. 01/0265, dated 28 March 2001, exempting Don Pancho Beach Resort Limited ACN 010 546 317.
3. ASIC instrument No. 01/0308, dated 27 March 2001, exempting Vacation Club Limited ACN 001 724 787 in relation to Vacation Club.
4. ASIC instrument No. 01/0309, dated 27 March 2001, exempting Lake Eildon Country Club Limited ACN 005 642 937 in relation to Lake Eildon Country Club Ltd trading as Mansfield Country Resort.
5. ASIC instrument No. 01/357, dated 26 March 2001, exempting Village Resort Vacations Ltd ACN 003 301 844 in relation to Village Resort Vacations Ltd.
6. ASIC instrument No. 01/0358, dated 26 March 2001, exempting Boambee Bay Timeshare Resort Ltd ACN 003 214 702 in relation to Boambee Bay Resort.
7. ASIC instrument No. 01/365, dated 29 March 2001, exempting Nepean Country Club Ltd ACN 006 273 132 in relation to Nepean Country Club Ltd ACN 006 273 132.
8. ASIC instrument No. 01/0366, dated 30 March 2001, exempting Mariner Shores Club Limited ACN 010 748 286 in relation to Mariner Shores Resort and Beach Club Trust.
9. ASIC instrument No. 01/0367, dated 30 March 2001, exempting Cedar Lake Country Limited ACN 009 986 814 in relation to Cedar Lake Country Club.
10. ASIC instrument No. 01/0368, dated 30 March 2001, exempting Kyneton Bushland Resort Limited ACN 007 447 645 in relation to Kyneton Bushland Resort located at 252 Edgecombe Road, Kyneton, Victoria.
11. ASIC instrument No. 01/0369, dated 30 March 2001, exempting Paradise Timeshare Club Limited ACN 002 888 557 in relation to Port Pacific Resort.
12. ASIC instrument No. 01/0370, dated 30 March 2001, exempting Silver Sands Timeshare Club Limited ACN 009 112 403 in relation to Silver Sands Resort located in Mandurah, Western Australia.
13. ASIC instrument No. 01/0371, dated 30 March 2001, exempting Holiday Concepts Management Limited ACN 006 353 180 in relation to The Bright Resort located at Stackey Gully Road, Bright, Victoria.
14. ASIC instrument No. 01/0372, dated 30 March 2001, exempting Holiday Concepts Management Limited ACN 006 353 180 in relation to Lakeside Country Club located in Numurkah, Victoria.

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15. ASIC instrument No. 01/0373, dated 30 March 2001, exempting Holiday Concepts Management Limited ACN 006 353 180 in relation to The Island Breeze Resort located in Cowes, Victoria.
16. ASIC instrument No. 01/0374, dated 30 March 2001, exempting Holiday Concepts Management Limited ACN 006 353 180 in relation to Riviera Beach Resort.
17. ASIC instrument No. 01/0425, dated 29 March 2001, exempting Sunshine Timeshare Club Limited ACN 010 497 855 in relation to Club Noosa Interim Trust.
18. ASIC instrument No. 01/0428, dated 30 March 2001, exempting Eastcoast Timeshare Pty Ltd ACN 006 627 121 in relation to Manly National Trust located at 22 Central Avenue, Manly, New South Wales.
19. ASIC instrument No. 01/0429, dated 30 March 2001, exempting Eastcoast Timeshare Pty Ltd ACN 006 627 121 in relation to Golden Leaf Trust.
20. ASIC instrument No. 01/0430, dated 30 March 2001, exempting Eastcoast Timeshare Pty Ltd ACN 006 627 121 in relation to Bayview Trust.
21. ASIC instrument No. 01/0433, dated 30 March 2001, exempting Kalbarri Vacations Limited ACN 009 155 293 in relation to Kalbarri Vacations Resort located at Cnr. Clotworthy and Gray Streets, Kalbarri, Western Australia.
22. ASIC instrument No. 01/0670, dated 29 May 2001, exempting Lake Edge Resort Limited ACN 006 812 415.
23. ASIC instrument No. 01/0782, dated 18 June 2001, exempting Magnetic Shoals Limited ACN 010 491 282 in relation to Magnetic Shoals Island Palms Resort located at 13 The Esplanade, Nelly Bay, Magnetic Island, Queensland.
24. ASIC instrument No. 01/0874, dated 12 July 2001, exempting Sunraysia Resort Limited ACN 006 279 778 in relation to Sunraysia Resort.
25. ASIC instrument No. 01/0903, dated 17 July 2001, exempting Korora Bay Village Limited ACN 001 779 200 in relation to Korora Bay Village Resort located at James Small Drive, Coffs Harbour, New South Wales.

Dated this 30th day of September 2004



Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 601QA(1)(b)
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")) and paragraph 601QA(1)(b) of the Act, the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [00/1393] dated 30 June 2000.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to paragraph 601QA(1)(b) of the Act ASIC hereby declares that Division 11 of Part 11.2 of the Law (as continued in force by section 1408 of the Act) applies to the management company of the Scheme as if:

- (1) paragraph 1455(4)(b) were replaced by "before the relevant date as specified in subsection 1457(1AA)"; and
- (2) section 1457 were modified by:
 - (a) replacing the words "during the first year after commencement" in subsection (1) with the words "before the relevant date";
 - (b) replacing the words "the end of that year" in paragraph (1)(a) with the words "the relevant date"; and
 - (c) adding immediately after subsection 1457(1) a new subsection 1457(1AA) as follows:

"In subsection (1) and paragraph 1455(4)(b) 'the relevant date' means:

- (a) six months before 30 June 2005; or
- (b) the date upon which an interest in the scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
- (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest."

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company

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and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 30 June 2005; or
- (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
- (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest.

SCHEDULE B

The undertaking known as the Schoolhouse Project to which the deed between South East Vineyards Limited ACN 081 749 206 and Sandhurst Trustees Limited ACN 004 030 737 dated 27 February 1998 relates.

SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 3 month period beginning on the date of this instrument the following information within 14 days after the end of that 3 month period:

1. the progress made in any court proceeding between the management company and trustee or representative;
2. any matters yet to be resolved in any court proceeding between the management company and trustee or representative;
3. the progress made in finding and appointing a replacement management company; and
4. the progress made in preparing and lodging financial statements.

Dated this 30th day of September 2004



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

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 601QA(1)(b)
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")) and paragraph 601QA(1)(b) of the Act, the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [99/0978] dated 30 June 1999.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to paragraph 601QA(1)(b) of the Act ASIC hereby declares that Division 11 of Part 11.2 of the Law (as continued in force by section 1408 of the Act) applies to the management company of the Scheme as if:

- (1) paragraph 1455(4)(b) were replaced by "before the relevant date as specified in subsection 1457(1AA)"; and
- (2) section 1457 were modified by:
 - (a) replacing the words "during the first year after commencement" in subsection (1) with the words "before the relevant date";
 - (b) replacing the words "the end of that year" in paragraph (1)(a) with the words "the relevant date"; and
 - (c) adding immediately after subsection 1457(1) a new subsection 1457(1AA) as follows:

"In subsection (1) and paragraph 1455(4)(b) 'the relevant date' means:

- (a) six months before 30 June 2005; or
- (b) the date upon which an interest in the scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
- (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest."

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company

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and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 30 June 2005; or
- (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
- (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest.

SCHEDULE B

The undertaking known as the Coonawarra Vineyard Project to which the deed between Viniculture Projects Limited ACN 075 583 765 and Sandhurst Trustees Limited ACN 004 030 737 dated 8 April 1997 relates.

SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 3 month period beginning on the date of this instrument the following information within 14 days after the end of that 3 month period:

1. the progress made in any court proceeding between the management company and trustee or representative;
2. any matters yet to be resolved in any court proceeding between the management company and trustee or representative;
3. the progress made in finding and appointing a replacement management company; and
4. the progress made in preparing and lodging financial statements.

Dated this 30th day of September 2004



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

04 / 1209

Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 601QA(1)(a), 911A(2)(l), 992B(1)(a) and
1020F(1)(a) — Exemption

1. Under paragraph 601QA(1)(a) of the Corporations Act 2001 (the **Act**), the Australian Securities and Investments Commission (**ASIC**) exempts the persons referred to in Schedule A from section 601ED of the Act in the case referred to in Schedule B on the conditions set out in Schedule C.
2. Under paragraphs 911A(2)(l), 992B(1)(a) and 1020F(1)(a) of the Act ASIC exempts the persons referred to in Schedule A in the case referred to in Schedule B on the conditions set out in Schedule C from:
 - (a) sections 992AA and 1017F of the Act; and
 - (b) the requirement to hold an Australian financial services licence for the provision of financial services by that person in relation to dealing in interests in a managed investment scheme of the kind and offered on the basis referred to in Schedule B.
3. Under paragraphs 992B(1)(a) of the Act ASIC exempts a person (other than a person referred to in Schedule A) in the case of an offer to sell an interest in a managed investment scheme referred to in Schedule B and offered on a basis that appears to comply with Schedule C, from section 992AA of the Act.

SCHEDULE A — WHO IS EXEMPT

Any person who operates the scheme specified in Schedule B (**scheme**) including the following persons (**promoters**):

- (a) Grant and Margaret Symonds as joint trustee of the Symonds Family Trust; and
- (b) any other person offering an interest in the scheme for issue,

other than a person who is aware that any Product Disclosure Statement required to be given to a person under the Act in relation to the scheme, was not given or was given but did not comply with the Act.

SCHEDULE B — SCHEMES EXEMPTED

Operating a managed investment scheme which involves an owner (**investor**) of real property (**strata unit**), in the investor's discretion, making their strata unit available for use by a person (**operator**) as part of a serviced apartment, hotel, motel or resort complex located at Berry Village Boutique Motel, 72-76 Queen Street, Berry, New South Wales 2535, developed in accordance with an approval of a local government organisation that was given to ASIC on 31 August 2004 and in relation to which on 1 March 2000 there was no person who had bought or agreed to buy a strata unit and who, before agreeing to buy, had been offered an interest in the scheme, where:

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- (a) the sale of the strata unit is not and was not conditional on participation in the serviced strata scheme;
- (b) each investor and the operator may withdraw from participation in the scheme on no more than 90 days notice and an investor that withdraws will not be bound after that notice expires to allow use of their strata unit except for occupation of the strata unit:
 - (i) by a person other than the operator or an associate of the operator; and
 - (ii) under an agreement that the operator made with that person before the notice of withdrawal was given;
- (c) each investor may, if the investor withdraws from participation in the scheme, appoint another person to manage their strata unit;
- (d) the operator is licensed in relation to the conduct of the letting services under the law of a State or Territory or is an financial services licensee;
- (e) no payment is liable to be made by an investor to participate in the scheme other than:
 - (i) payment of money to buy the strata unit;
 - (ii) one or more payments of the investor's reasonable proportion of the operator's fees and expenses with respect to the management of the scheme where in any 3 month period the total of such payments relates to a period of no more than 3 months and where:
 - (A) that total is reasonably commensurate with the work done or to be done, or the expenses incurred or likely to be incurred (as the case may be), by the operator during the period to which the payments relate; and
 - (B) where a FFE Fund has been established for the investor — no payment or part thereof is used for the replacement, repair or refurbishment of furniture, fittings and equipment of the strata unit in relation to the period to which the payment relates unless all money in the Fund has first been expended; and
 - (iii) where a FFE Fund has been established for the investor — one or more payments into the Fund where:
 - (A) each payment is by way of a deduction from rental income of the scheme that would otherwise be paid to the investor in relation to a period and does not exceed 3% of the gross rent attributable to the investor for the period; and

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(B) the balance of the Fund at all times does not exceed \$5,000 for each strata unit made available by the investor for use as part of the scheme;

- (f) there is no obligation on any person to ensure that other owners of strata units agree to participate in the scheme; and
- (g) the serviced apartment, hotel, motel or resort complex is operated in accordance with a written agreement entered into or to be entered into between the operator and each investor which agreement includes provisions as specified in Schedule D.

SCHEDULE C — CONDITIONS ON OPERATORS AND PROMOTERS

1. The operator must ensure that any part of the scheme property held in cash or on deposit with an Australian ADI or another financial institution must be held on trust for the members in a trust account and subject to audit as to whether the moneys have been dealt with in accordance with the terms of the trust by a registered company auditor at least annually.
2. Where a FFE Fund has been established for an investor, the operator must ensure that:
 - (a) the money comprising the Fund is held on trust for the investor in a trust account and subject to audit as to whether the money has been dealt with in accordance with the terms of the trust by a registered company auditor at least annually; and
 - (b) the balance of the Fund is promptly returned to the investor at the termination of the scheme or upon the investor's withdrawal from the scheme, whichever occurs first.
3. each promoter that is involved in making an offer of interests in the scheme for issue must not engage in any misleading or deceptive conduct or conduct that is likely to mislead or deceive in connection with those offers.
4. The operator must comply with the provisions specified in Schedule D which are included in the agreement referred to in paragraph (g) of Schedule B.

SCHEDULE D — PROCEDURES FOR TRANSFERRING MANAGEMENT RIGHTS

1. *Transfer of management rights*
 - (a) If a majority of scheme members advise the operator in writing that they wish to terminate the operator's engagement, the operator must within 9 months transfer the management rights to a person that is chosen by the operator that has not been involved in the operation (including promotion)

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of the scheme and is not controlled by a person that has been involved in the operation (including promotion) of the scheme.

- (b) If an operator fails to complete that transfer within the 9 month period, the operator must cause the transfer of the management rights to a replacement operator named in a written notice given by a majority of scheme members, at a price specified in the notice.
- (c) A transfer referred to in paragraphs (a) or (b) must be done as soon as practicable, but if there is a body corporate for the real property to which the scheme relates, there must be a reasonable time for members of the body corporate to consider whether to make a decision referred to in paragraph 2(b) unless the body corporate has consented to the transfer.

2. *Consent of body corporate to new care-taking arrangements*

- (a) If an operator receives a notice under paragraph 1(b) of this Schedule, the operator must advise all body corporate members of the name of the person to whom the transfer is to be made.
- (b) Unless the body corporate has consented to the transfer, an operator does not have to transfer the management rights to the person named in the notice described in paragraph 1(b) of this Schedule if a majority of body corporate members state in writing to the operator that the person should not be engaged by the body corporate to perform care-taking functions.
- (c) If a majority of body corporate members make a decision referred to in paragraph 2(b) of this Schedule, a majority of scheme members may then at any time name a replacement operator by a written notice, to whom the operator must transfer the management rights at a price specified in the notice and the notice will be taken to be given in accordance with paragraph 1(b) of this Schedule.
- (d) This paragraph 2 does not apply if the body corporate or a majority of body corporate members agree in writing to the transfer to the person named in a notice under paragraph 1(b) or 2(c) of this Schedule before that notice is given to the operator.

3. *Price payable on transfer*

The price scheme members specify in a notice under paragraph 1(b) of this Schedule must be one of the following:

- (a) the average of two valuations of the management rights by independent qualified valuers nominated by the Australian Property Institute (or another relevant independent professional body approved by ASIC); or
- (b) the highest bona fide bid for the management rights (excluding a bid by the operator or its associates) at an auction of which at least 60 days' notice had been given; or

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- (c) the highest bona fide amount tendered (excluding any tender by the operator or its associates) for the management rights following reasonable efforts to market the property for at least 60 days.

4. *Voting*

- (a) In determining if there is a majority of scheme members or body corporate members, the operator and its associates and any person nominated as a replacement operator and associates of that person must not be counted.
- (b) For scheme members, a majority is based on their entitlement to vote at body corporate meetings if there is a body corporate for the property to which the scheme relates, and otherwise each member shall have one vote.
- (c) For body corporate members, a majority is based on their entitlement to vote at body corporate meetings.
- (d) A scheme member or a body corporate member makes a decision by signing a document that sets out the decision.

5. *Costs*

- (a) Any member may arrange a valuation or auction of, or may market, the management rights before or after the expiration of the 9 month period referred to in paragraph 1(a) of the Schedule for the purposes of determining a price to be specified in a notice under paragraph 1(b) of this Schedule.
- (b) If a member incurs any reasonable valuation, auction or marketing costs under paragraph 5(a) of this Schedule that member is entitled to be reimbursed out of the price payable by any person nominated by the members as transferee of the management rights when the price is paid to the operator.

6. *Assistance*

The operator must give reasonable assistance to enable the transferee to operate the resort, hotel, motel or serviced apartment complex including making available information concerning any prospective bookings.

7. *Definitions*

In this Schedule:

scheme members means investors in the scheme excluding the operator and its associates;

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management rights means all real or personal property (including contractual rights) held by the operator or any of its associates that facilitates the operation of the scheme; and

transfer in relation to management rights means to assign or transfer the management rights or to cause another person to become the holder of those rights or rights substantially the same as those rights.

Interpretation

In this instrument:

FFE Fund means a fund established for an investor consisting of money paid by the investor and any interest accrued on that money, to be used from time to time in accordance with the written agreement referred to in paragraph (g) of Schedule B for the replacement, repair or refurbishment of furniture, fittings and equipment of the strata unit made available by the investor for use as part of the scheme; and

offer is to be interpreted in accordance with subsection 1010C(2) of the Act.

Dated this 22nd day of September 2004



Signed by Kristin Holmes
as a delegate of the Australian Securities and Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 951B(1)(c)- Declaration**

1. Under paragraph 951B(1)(c) of the *Corporations Act 2001* (the "Act"), the Australian Securities and Investments Commission ("ASIC") declares that Part 7.7 of the Act applies in relation to Deutsche Australia Limited (ACN 006 385 593) ("DAL") in the case specified in Schedule A as if subsection 942B(2) of the Act were modified or varied by:
 - (a) omitting paragraph 942B(2)(c) and substituting:

"(c) information about the kinds of financial services (the *services offered by the providing entity*) that the providing entity is offering to provide to the client, and the kinds of financial products to which those services relate; and"
 - (b) omitting "authorised services" from paragraphs 942B(2)(d), (e), (f) and (i) and substituting "services offered by the providing entity".

2. Under paragraph 951B(1)(c) of the Act, ASIC declares that Part 7.7 of the Act applies in relation to DAL in the case specified in Schedule A as if:
 - (a) subsection 942A(1) of the Act were modified or varied by:
 - (i) omitting "The title" from subsection 942A(1) and substituting "Subject to section 942DB, the title"; and
 - (ii) omitting "In any other part" from subsection 942A(2) and substituting "Subject to section 942DB, in any other part"; and
 - (b) Subdivision B of Division 2 of Part 7.7 of the Act were modified or varied by adding after section 942DA:

"942DB Combining a Financial Services Guide and a Prospectus in a single document

 - (1) In this section:

Prospectus means a prospectus lodged by Deutsche Xenon Limited (ACN 109 425 925) ("**Deutsche Xenon**") with ASIC on or about 5 October 2004 offering redeemable preference shares to be issued by Deutsche Xenon.
 - (2) Subject to this section, a Financial Services Guide (a *FSG*) and a Prospectus may be combined in a single document (a *combined FSG and Prospectus*).
 - (3) Subject to this section, this Part (other than section 942A) applies in relation to a combined FSG and Prospectus as if it were a FSG.

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- (4) A combined FSG and Prospectus must be divided into two parts, one part (the *FSG part*) containing the FSG or what purports to be the FSG, and the other part (the *Prospectus part*) containing the Prospectus or what purports to be the Prospectus.
- (5) Subject to subsections (6) to (11), the FSG part must set out the information and statements that are required by this Part to be included in a FSG.
- (6) The FSG part must have a title which is, or is to the effect of, "Financial Services Guide of Deutsche Australia Limited (ABN 37 006 385 593, Australian Financial Services Licence Number 238157) in relation to the offer of Xenon Alpha Plus and the Early Exit Facility" at or near the front of the FSG part.
- (7) The FSG part must be referred to, with cross-references, at or near the front of the combined FSG and Prospectus.
- (8) The FSG part may incorporate by reference information or statements included in the Prospectus part.
- (9) The combined FSG and Prospectus must clearly and prominently state the identity of both the providing entity and Deutsche Xenon and the relationship between those persons.
- (10) The FSG part must clearly and prominently state the extent to which the providing entity is liable in relation to the combined FSG and Prospectus.
- (11) The date required by subsection 942B(5) (dating of the FSG) is the date on which the FSG part was prepared or its preparation was completed.
- (12) For the purposes of Subdivision C of Division 2 of this Part the person who has prepared a FSG is the person who has prepared the FSG part of a combined FSG and Prospectus."

Schedule A

Where DAL provides or offers to provide financial services in connection with the offer of Xenon Alpha Plus and the provision of the Early Exit Facility.

Interpretation

In this instrument:

"**Deutsche Xenon**" means Deutsche Xenon Limited ACN 109 425 925.

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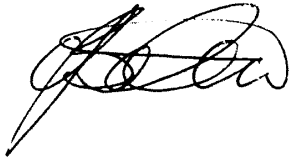
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"Early Exit Facility" means the monthly liquidity facility described in the Prospectus under which holders of Xenon Alpha Plus may dispose of all or part of their holdings of Xenon Alpha Plus.

"Prospectus" means a prospectus lodged by Deutsche Xenon with ASIC on or about 5 October 2004 offering redeemable preference shares to be issued by Deutsche Xenon.

"Xenon Alpha Plus" means the redeemable preference shares issued, or to be issued, by Deutsche Xenon and which are offered under the Prospectus.

Dated this 27th day of September 2004



Signed by Claire Bothwell
as delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission
Corporations Act 2001 — Paragraphs 951B(1)(a) and 951B(1)(c) —
Exemption and Declaration

04 / 12 11

1. Under paragraph 951B(1)(c) of the Corporations Act 2001 (the Act), the Australian Securities and Investments Commission (ASIC) declares that Part 7.7 of the Act applies to the person mentioned in Schedule A in the case referred to in Schedule B as if subsection 941D(1) were modified or varied by deleting the words "as soon as practicable after it becomes apparent to the providing entity that the financial service will be, or is likely to be, provided to the client, and must in any event be given to the client before the financial service is provided" and inserting instead the words "at the same time as the financial service is provided."
2. Under paragraph 951B(1)(a) of the Act, ASIC exempts the person mentioned in Schedule A in the case referred to in Schedule B from subsection 942A(1) of the Act
3. Pursuant to paragraph 951B(1)(a) of the Act, ASIC exempts the person mentioned in Schedule A in the case referred to in Schedule B from paragraph 940C(1)(a) of the Act.

Schedule A

KPMG Transaction Services (Australia) Pty Ltd ACN 003 891 718 ("KPMG Transaction Services")

Schedule B

Where:

- (a) A document which contains a Bidder's Statement to be sent by Multiplex Funds Management Limited ACN 105 371 917 ("Multiplex") (as responsible entity for Multiplex Property Trust ARSN 106 643 387) to holders of bid class securities being shares in Ronin Property Holdings Limited ACN 105 701 166 and interests in the managed investment scheme known as Ronin Property Trust ARSN 097 393 646 ("Ronin stapled security holders"), also includes an Investigating Accountant's Report, and KPMG Transaction Services has consented to the inclusion of the Investigating Accountant's Report in the document in the form and context in which it is included;
- (b) The Investigating Accountant's Report forms a separate part of the document and is clearly identifiable as an Investigating Accountant's Report;
- (c) The Financial Services Guide forms part of the Investigating Accountant's Report;
- (d) The Investigating Accountant's Report bears the title "Financial Services Guide and Investigating Accountant's Report";
- (e) The Investigating Accountant's Report contains 2 separate parts, being:
 - (i) a part identifiable as a Financial Services Guide that satisfies the requirements under the Act for a Financial Services Guide as modified by this instrument of relief, and that is at or near the front of the Investigating Accountant's Report; and
 - (ii) a part setting out the general advice provided by KPMG Transaction Services; and
- (f) The Investigating Accountant's Report is provided to the client by no later than the time at which the Bidder's Statement must be provided to Ronin stapled security holders.

Interpretation

In this instrument:

"Investigating Accountant's Report" means a statement by KPMG Transaction Services containing general advice in relation to the financial information (including forecast financial information) disclosed in the Bidder's Statement in relation to the proposed acquisition by Multiplex Group of all issued stapled securities of Ronin Property Group;

"Financial Services Guide" has the meaning given by paragraph 761A;

"general advice" has the meaning given by paragraph 766B(4);

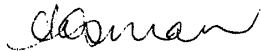
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"Multiplex Group" means shares in Multiplex Limited (ACN 008 687 063) and interests in Multiplex Property Trust (ARSN 106 643 387) for which Multiplex Funds Management Limited (ACN 105 371 917) is the responsible entity, which are listed on the ASX and which may only be traded together;

"Ronin Property Group" means shares in Ronin Property Holdings Limited (ACN 105 701 166) and interests in Ronin Property Trust (ARSN 097 393 646).

Dated this 29th day of September 2004



Signed by Samantha Osman
as delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (the "Law") (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")), the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [99/1028] dated 30 July 1999.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 31 March 2005; or
 - (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
 - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up,
- whichever is the earliest.

SCHEDULE B

The undertaking known as Tumut River Orchard Project to which the deed between Tumut River Orchard Management Limited ACN 003 501 611 and Permanent Trustee Company Limited ACN 000 000 993 dated 31 December 1990 relates.

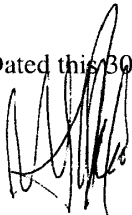
SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 1 month period beginning on the date of this instrument the following information within 14 days after the end of that 1 month period:

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1. the progress made in obtaining the resignation of the trustee or representative;
and
2. the progress made in finding and appointing a replacement management
company.

Dated this 30th day of September 2004



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

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 601QA(1)(b)
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (the "Law") (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")) and paragraph 601QA(1)(b) of the Act, the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [00/1391] dated 30 June 2000.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to paragraph 601QA(1)(b) of the Act ASIC hereby declares that Division 11 of Part 11.2 of the Law (as continued in force by section 1408 of the Act) applies to the management company of the Scheme as if:

- (1) paragraph 1455(4)(b) were replaced by "before the relevant date as specified in subsection 1457(1AA)"; and
- (2) section 1457 were modified by:
 - (a) replacing the words "during the first year after commencement" in subsection (1) with the words "before the relevant date";
 - (b) replacing the words "the end of that year" in paragraph (1)(a) with the words "the relevant date"; and
 - (c) adding immediately after subsection 1457(1) a new subsection 1457(1AA) as follows:

"In subsection (1) and paragraph 1455(4)(b) 'the relevant date' means:

- (a) three months before 31 March 2005; or
- (b) the date upon which an interest in the scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
- (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up, whichever is the earliest."

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as

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continued in force by section 1408 of the Act) applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 31 March 2005; or
 - (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
 - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up,
- whichever is the earliest.

SCHEDULE B

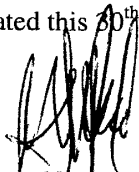
The undertaking known as Treetop Supersweet to which the deed between Treetop Projects Limited ACN 081 209 298 and Australian Rural Group Limited ACN 002 635 501 dated 24 February 1998 relates.

SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 1 month period beginning on the date of this instrument the following information within 14 days after the end of that 1 month period:

1. the progress made in obtaining the resignation of the trustee or representative; and
2. the progress made in finding and appointing a replacement management company.

Dated this 30th day of September 2004



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

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (the "Law") (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")), the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [99/1024] dated 30 July 1999.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 31 March 2005; or
 - (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
 - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up,
- whichever is the earliest.

SCHEDULE B

The undertaking known as Treetop Apples Project to which the deed between Tumut River Orchard Management Limited ACN 003 501 611 and Australian Rural Group Limited ACN 002 635 501 dated 16 January 1997 relates.

SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 1 month period beginning on the date of this instrument the following information within 14 days after the end of that 1 month period:

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1. the progress made in obtaining the resignation of the trustee or representative;
and
2. the progress made in finding and appointing a replacement management company.

Dated this 30th day of September 2004



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

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (the "Law") (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")), the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [99/1025] dated 30 July 1999.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 31 March 2005; or
 - (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
 - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up,
- whichever is the earliest.

SCHEDULE B

The undertaking known as Treetop Plums Project to which the deed between Tumut River Orchard Management Limited ACN 003 501 611 and Australian Rural Group Limited ACN 002 635 501 dated 18 March 1996 relates.

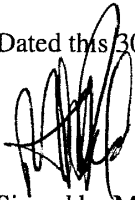
SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 1 month period beginning on the date of this instrument the following information within 14 days after the end of that 1 month period:

04 / 12 19

1. the progress made in obtaining the resignation of the trustee or representative;
and
2. the progress made in finding and appointing a replacement management company.

Dated this 30th day of September 2004



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

**ASIC**

Australian Securities & Investments Commission

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**Australian Securities and Investments Commission
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (the "Law") (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")), the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [99/1026] dated 30 July 1999.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 31 March 2005; or
 - (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
 - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up,
- whichever is the earliest.

SCHEDULE B

The undertaking known as Queensland Orchard Project to which the deed between Tumut River Orchard Management Limited ACN 003 501 611 and Australian Rural Group Limited ACN 002 635 501 dated 24 May 1994 relates.

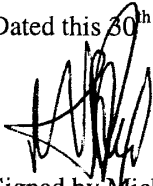
SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 1 month period beginning on the date of this instrument the following information within 14 days after the end of that 1 month period:

04 / 12 20

1. the progress made in obtaining the resignation of the trustee or representative;
and
2. the progress made in finding and appointing a replacement management company.

Dated this 30th day of September 2004



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

**ASIC**

Australian Securities & Investments Commission

04 / 1221

**Australian Securities and Investments Commission
Corporations Law – Subsections 1084(6) and 1454(2) – Revocation, Extension
and Declaration**

Pursuant to subsection 1454(2) and subsection 1084(6) of the Corporations Law (the "Law") (as continued in force by section 1408 of the *Corporations Act 2001* (the "Act")), the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC Instrument [99/1027] dated 30 July 1999.

Pursuant to subsection 1454(2) of the Law (as continued in force by section 1408 of the Act) ASIC hereby extends the period of 2 years referred to in subsection 1454(2) of the Law until the date specified in Schedule A in relation to the undertaking specified in Schedule B (the "Scheme") in the case specified in Schedule C.

And pursuant to subsection 1084(6) of the Law (as continued in force by section 1408 of the Act) ASIC hereby declares that Division 5 of Part 7.12 of the Law (as continued in force by section 1408 of the Act) applies to the management company and the trustee or representative of the Scheme as if subsection 1069(12) of the Law were omitted.

SCHEDULE A

- (a) 31 March 2005; or
 - (b) the date upon which an interest in the Scheme, if any, is issued after 30 June 1998, other than:
 - (i) under a prospectus which was lodged before 1 July 1998; or
 - (ii) by an excluded issue; or
 - (c) the date upon which there is a change, if any, to the time by which the scheme is to be wound up,
- whichever is the earliest.

SCHEDULE B

The undertaking known as Coonabarabran Orchard Project to which the deed between Tumut River Orchard Management Limited ACN 003 501 611 and Permanent Trustee Company Limited ACN 000 000 993 dated 26 May 1993 relates.

SCHEDULE C

Where the management company or trustee or representative furnishes to ASIC for each 1 month period beginning on the date of this instrument the following information within 14 days after the end of that 1 month period:

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1. the progress made in obtaining the resignation of the trustee or representative;
and
2. the progress made in finding and appointing a replacement management company.

Dated this 30th day of September 2004



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