



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

No. ASIC 86/09, Tuesday, 27 October 2009

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# ASIC Gazette

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#### RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the *Corporations Act 2001* and the other legislation administered by ASIC may have rights of review. ASIC has published Regulatory Guide 57 *Notification of rights of review* (RG57) and Information Sheet *ASIC decisions – your rights* (INFO 9) to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at [www.asic.gov.au](http://www.asic.gov.au) or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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09-00670

**ASIC**

Australian Securities &amp; Investments Commission

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

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

**TO:** PACIFIC CAPITAL CORPORATION LTD  
ACN 001 944 850 ("the Licensee")  
Level 7  
6-8 Underwood Street  
SYDNEY NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 246587 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 21st Day of October 2009

Signed

A handwritten signature in black ink, appearing to be 'Allan Melville', written over a dotted line.

Allan Melville, a delegate of the Australian Securities and  
Investments Commission

09-00756

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 1020F(1)(a) – Exemption**

Under paragraph 1020F(1)(a) of the Act, ASIC exempts the persons specified in Schedule A from complying with Division 5A of Part 7.9 of the Act in the case specified in Schedule B.

**Schedule A**

Mirvac Limited ACN 003 280 699  
Mirvac Funds Limited ACN 002 561 640 as responsible entity of Mirvac Property Trust ARSN 086 780 645 (*MFL*)

**Schedule B**

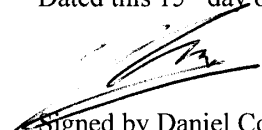
Where an unsolicited offer to acquire units in Mirvac Real Estate Investment Trust ARSN 089 535 526 (*MREIT*) is made under the Scheme.

**Interpretation**

*Scheme* means an arrangement under which MFL will acquire all of the units held by members of MREIT where the acquisition is approved by resolutions passed at a meeting of members:

- (a) to approve amendments to the constitution of MREIT; and
- (b) under item 7 of section 611 of the Act.

Dated this 15<sup>th</sup> day of September



Signed by Daniel Collard  
as a delegate of the Australian Securities and Investments Commission

09-00852

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 655A(1) – Revocation and Exemption**

Under paragraph 655A(1)(a) of the *Corporations Act 2001 (Act)* the Australian Securities and Investments Commission (*ASIC*) revokes ASIC instrument [09-00838] dated 5 October 2009 and exempts the persons named in Schedule A from section 606 of the Act in respect of the acquisition referred to in Schedule B on the conditions set out in Schedule C and for so long as those conditions are met.

**Schedule A**

Lion-Asia Resources Pte. Ltd., a company incorporated in Singapore (**Bidco**)

Vital Bond Limited, a company incorporated in the British Virgin Islands (**VBL**)

LAP Exploration Pte. Ltd., a company incorporated in Singapore (**LAPE**)

Lion Asiapac Limited, a company incorporated in Singapore (**LAP**)

**Schedule B**

An acquisition of a relevant interest in issued voting shares in Polaris Metals NL ACN 085 223 570 (**Polaris**) arising from the entering into an agreement dated 5 October 2009 (the **Cooperation Agreement**) between Bidco and Lion Diversified Holdings Berhad, a company incorporated in Malaysia (**LDHB**), (collectively, the **Parties**) for the purpose of Bidco making a takeover bid under Chapter 6 of the Act for all of the issued voting shares in Polaris (the **Bid**), where:

- (a) as at the date of the Cooperation Agreement:
- (i) LDHB has a relevant interest in 25.4% of the issued voting shares in Polaris;
  - (ii) Tan Sri William Cheng Heng Jem (**Cheng**) has a relevant interest in 25.4% of the issued voting shares in Polaris;
  - (iii) Cheng, together with his associates, controls LDHB for the purposes of section 608(3)(b) of the Act;
  - (iv) LDHB, together with its associates, controls LAP for the purposes of section 608(3)(b) of the Act;
  - (v) LAPE is a wholly-owned subsidiary of LAP; and
  - (vi) VBL is wholly-owned by Cheng;
- (b) immediately prior to Bidco and LDHB entering into the Cooperation Agreement:
- (i) neither Bidco, VBL, LAPE or LAP had a relevant interest in issued voting shares in Polaris;
  - (ii) LAPE was the beneficial owner of 50% of the issued voting shares in Bido; and
-

09-00852

- (iii) VBL was the beneficial owner of 50% of the issued voting shares in Bidco;
- (c) Cheng and LDHB, or their respective controlled entities, have entered into a relevant agreement for the purpose of controlling or influencing Polaris' affairs (the *Joint Bid Agreement*); and
- (d) in furtherance of the Joint Bid Agreement, Bidco and LDHB have entered into the Cooperation Agreement in the form of the agreement provided to ASIC on 5 October 2009.

**Schedule C**

1. The Bid must be subject to a defeating condition that, during or at the end of the offer period, Bidco has received valid acceptances for not less than 50.1% of the bid class securities that Bidco offers to acquire under the Bid excluding:
  - (a) any bid class securities in which the Parties, Cheng, VBL, LAPE, LAP and their respective associates have a relevant interest at the beginning of the offer period; and
  - (b) any bid class securities the subject of a pre-bid acceptance agreement between Heron Resources Limited ACN 068 263 098 and Mineral Resources Limited ACN 118 549 910 dated 20 August 2009;and the bidder's statement in respect of the Bid includes a statement to the effect that the defeating condition will not be waived.
2. The Parties must use their best endeavours to have Polaris engage an independent expert to prepare a report on whether, in the expert's opinion, the Bid is fair and reasonable to Polaris shareholders not associated with the Parties, Cheng, VBL, LAPE, LAP or their respective associates.
3. The Parties must immediately terminate or procure the termination of the Cooperation Agreement, and any other agreements or arrangements between any of the Parties, Cheng, VBL, LAPE, LAP and their respective associates in relation to the Bid, if the Bid does not proceed, or fails, because of a defeating condition that has been neither satisfied nor waived.

Dated 12 October 2009



Signed by Louise Swan

as a delegate of Australian Securities &amp; Investments Commission

09-00861

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 741(1)(b) – Declaration**

Under paragraph 741(1)(b) of the *Corporations Act 2001 (Act)* the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 6D of the Act applies to the person specified in Schedule A in the case specified in Schedule B as if paragraph 708A(5)(b) were modified or varied by replacing it with:

- "(b) trading in that class of securities on a prescribed financial market on which they were quoted was not suspended for more than a total of 9 days during the shorter of the period during which the class of securities were quoted, and the period of 12 months before the day on which the relevant securities were issued; and"

**Schedule A**

Lynas Corporation Limited ACN 009 066 648 (*Lynas*)

**Schedule B**

An offer of Shares on the exercise of options that were issued without a disclosure document under the Employee Option Plan where Shares are issued pursuant to the offers between the date of this instrument and 10 February 2010.

**Interpretation**

In this instrument

**Employee Option Plan** means the "Lynas Corporation Limited (ACN 009 066 648) - 1999 Option Incentive Plan" adopted by Lynas shareholders at the Lynas AGM on 28 October 1999 as amended with shareholder approval from time to time.

**Share** means an ordinary share in Lynas.

Dated this 14<sup>th</sup> day of October 2009



Signed by Chris Wheeler  
as a delegate of the Australian Securities and Investments Commission

09-00864

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

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

1. after subsection 601GAB(2) insert:

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

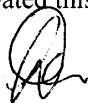
2. after subsection 601GAC(2) insert:

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

**Schedule**

CorVal Partners Limited ACN 130 628 830 in its capacity as responsible entity of the CorVal Industry House Trust ARSN 139 802 038.

Dated this 16<sup>th</sup> day of October 2009



Signed by Wen Leung  
as a delegate of the Australian Securities and Investments Commission



09-00865

**ASIC**

Australian Securities &amp; Investments Commission


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

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

**TO: Mortgage Force Australia Pty Ltd (the Licensee)**  
160 Stirling Hwy  
Nedlands WA 6009

Pursuant to section 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby suspends Licence Number 274523 held by the Licensee until 16 December 2009.

Dated this 16<sup>th</sup> day of October 2009.

Signed  .....

George Podaras, a delegate of the Australian Securities and Investments Commission



09-00866

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 741(1)(b) – Declaration**

Under subsection 741(1) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 6D of the Act applies to the person described in Schedule A in the case specified in Schedule B as if the provisions of that Chapter were modified or varied as follows:

1. omit subsection 700(3), and
2. after subsection 700(2), insert:  
  
"(3) For the purposes of this Chapter, the person who offers securities is:
  - (a) the person who has the capacity, or who agrees, to issue or transfer the securities if the offer is accepted; and
  - (b) the person who prepares and lodges a disclosure document in relation to the offer of securities.

To the extent that the person mentioned in paragraph (a) above is different to the person mentioned in paragraph (b) above then references to the person making the offer of securities in this Chapter should be taken to include both persons."

**Schedule A**

Vanguard Investments Australia Ltd ABN 72 072 881 086 (*Vanguard Australia*)

**Schedule B**

An offer of securities made under a prospectus lodged by Vanguard Australia where:

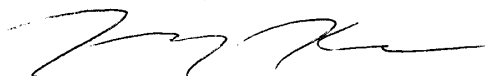
- (a) the identity of the issuer of the ETF is clearly identified;
- (b) the role of Vanguard Australia is outlined; and
- (c) any ASIC relief obtained in relation to the prospectus is referred to in the prospectus.

**Interpretation**

In this instrument:

**ETF** means the Vanguard Emerging Markets Shares Index ETF.

Dated this 20th day of October 2009



Signed by Terence Kouts  
as a delegate of the Australian Securities and Investments Commission

09 - 00867

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 741(1) – Declaration**

Under subsection 741(1) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (*ASIC*) declares that Chapter 6D of the Act applies to the persons described in Schedule A in the case specified in Schedule B as if:

- (1) subsection 707(1) were modified by omitting “, (3)”;
- (2) subsections 707(3) and (4) were omitted.

**Schedule A**

Any holder of CDIs which have been issued in relation to securities of Vanguard Emerging Markets Shares Index ETF

**Schedule B**

An offer for the sale of CDIs in the ordinary course of trading on the financial market operated by ASX Limited (*ASX*) where a prospectus is lodged with ASIC by Vanguard Investments Australia Ltd (ACN 072 881 086) before the day on which the sale offer of the CDIs is made.

**Interpretation**

In this instrument:

**ASTC** means ASX Settlement and Transfer Corporation Pty Limited.

**CDIs** mean equitable interests in securities of Vanguard Emerging Markets Shares Index ETF, being equitable interests issued for the purpose of enabling beneficial ownership of the securities to which the equitable interests relate, to be recorded in and transferred through CHESS, and being described in the operating rules of ASTC as CHESS Depositary Interests or CDIs.

**CHESS** means the Clearing House Electronic Subregister System operated by ASTC.

**prospectus** means a prospectus for CDIs in relation to the foreign securities that complies with Part 6D.2 of the Act.

Dated this 20<sup>th</sup> day of October 2009



Signed by Terence Kouts  
as a delegate of the Australian Securities and Investments Commission

09-00870

**NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001**

Notice is hereby given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order, a copy of which is set out below, which order took effect on the date of service of the order on the person to whom it relates, being 26 March 2009.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****IN THE MATTER OF  
FLEETWOOD ADVISORY GROUP PTY LTD ACN 085 704 552****SECTION 915B OF THE CORPORATIONS ACT 2001**

To: Fleetwood Advisory Group Pty Ltd  
ACN 085 704 552  
79 Glenbrook Close  
Marden SA 5070

**NOTICE CANCELLING AUSTRALIAN FINANCIAL SERVICES LICENCE UNDER SECTION  
915B OF THE CORPORATIONS ACT 2001****TAKE NOTICE that:**

1. Under paragraph 915B(3)(a) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("ASIC") cancels Australian financial services licence no. 320665 ("Licence") held by Fleetwood Advisory Group Pty Ltd ACN 085 704 552 ("FLAG").
2. Under section 915H of the Act ASIC specifies that the Licence continues in effect, for a period of 12 months from the date of this notice, as though the cancellation had not happened for the purposes of:
  - (a) Paragraphs 912A(1)(g) of the Act to the extent that it requires FLAG to have a disputes resolution system complying with paragraph 912A(2)(b) of the Act (which requires FLAG to be a member of one or more external dispute resolution schemes).
  - (b) Section 912B of the Act and regulations 7.6.02AAA and 7.6.02AA of the Corporations Regulations 2001 (which requires FLAG to have arrangements for compensating retail clients including the holding of professional indemnity insurance cover).

Dated this 12<sup>th</sup> day of October 2009.

Signed:   
Graeme Darcy Plath  
Delegate of the Australian Securities and  
Investments Commission

Your attention is drawn to subsection 911A(1) of the Corporations Act 2001 which provides that subject to this section, a person who carries on a financial services business in this jurisdiction must hold an Australian financial services licence covering the provision of the financial services and that a failure to comply with this subsection is an offence (see subsection 1311(1) of the Corporations Act 2001).

09-00874

**Australian Securities and Investments Commission  
Corporations Act 2001 - Subsection 601QA(1) –  
Exemption, Declaration and Revocation**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 09-00874.

**Exemption**

3. ASIC exempts Mirvac Funds Management Limited ACN 067 417 663 (the *Responsible Entity*) in its capacity as the responsible entity of:

Mirvac AQUA Income Fund ARSN 110 222 850  
Mirvac AQUA Enhanced Income Fund ARSN 119 299 179  
Mirvac AQUA High Income Fund ARSN 110 223 348  
Mirvac AQUA Senior Debt Pool ARSN 110 223 240  
Mirvac AQUA Construction Debt Pool ARSN 110 223 133  
Mirvac AQUA Mezzanine Debt Pool ARSN 110 223 044

(each, a *Scheme*),

from paragraph 601FC(1)(d) of the Act in relation to allowing a member of a Scheme to withdraw in accordance with section 601KEA of the Act as inserted by this instrument.

**Declaration**

4. ASIC declares that Chapter 5C of the Act applies to the Responsible Entity in its capacity as the responsible entity of a Scheme in the case specified in the Schedule as if Part 5C.6 of the Act were modified or varied as follows:
  - (a) after subsection 601KA(3) insert:

“(3AA) Subsection (3) does not apply to a withdrawal in accordance with section 601KEA.”; and
  - (b) after subsection 601KE insert:

**“601KEA Hardship withdrawals**

09-00874

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*Power to allow withdrawal in case of member hardship*

- (1) Subject to this section, the responsible entity of a registered scheme may allow a member to withdraw (***hardship withdrawal***) from the scheme in accordance with a provision of the scheme's constitution that provides for the member to have a right to withdraw when the responsible entity is satisfied that:
- (a) the member has experienced hardship or is likely to experience hardship if the member is not allowed to withdraw; or
  - (b) where the member is an operator—a person (***instructor***) who has asked the operator to exercise a right to withdraw has experienced hardship or is likely to experience hardship if the operator is not allowed to withdraw; or
  - (c) where the member is dead—a beneficiary of the estate has experienced hardship or is likely to experience hardship if the executor or administrator of the estate is not allowed to withdraw.
- (1A) In this section, an ***operator*** means a person who is a member of the scheme in its capacity as responsible entity or custodian of a registered scheme, trustee of a trust, trustee or custodian of a superannuation entity within the meaning of the *Superannuation Industry (Supervision) Act 1993*, trustee of a self-managed superannuation fund within the meaning of the *Superannuation Industry (Supervision) Act 1993* or provider or acquirer in relation to a custodial arrangement as defined in section 1012IA.
- (2) The responsible entity must not allow a hardship withdrawal unless the responsible entity is satisfied that:
- (a) following that withdrawal the scheme property would include sufficient liquid assets for the day to day operation of the scheme; and
  - (b) satisfying the hardship withdrawal request:
    - (i) would not result in more than 4 hardship withdrawals for any member, instructor or beneficiary (as applicable) in any calendar year; and
    - (ii) would not result in the total amount of withdrawals for any member, instructor or beneficiary (as applicable) in any calendar year exceeding \$100,000; and
-

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3

- (c) any amount paid would not exceed the specific amount the subject of a hardship withdrawal request in respect of the hardship of the member, instructor or beneficiary (as applicable); and
- (d) where paragraph (1)(b) applies—any amount paid on withdrawal to an operator will be paid to the instructor after deduction of any fees and charges payable to the operator; and

Note: In making any payment to an instructor, an operator must comply with any obligations under the terms of the relevant trust or arrangement under which it acts and other applicable laws. For example, the responsible entity of a registered scheme must comply with Part 5C.6 as modified by any relief applicable to that scheme and the trustee of a superannuation entity or self managed superannuation fund must comply with requirements under the *Superannuation Industry (Supervision) Act 1993*.

- (e) where paragraph (1)(c) applies—any amount paid on withdrawal to an executor or administrator of the estate will be paid to the beneficiary after deduction of any fees and charges payable to the executor or administrator.
- (3) If a constitution includes a provision permitting the responsible entity to exercise a discretion in relation to a hardship withdrawal the responsible entity must comply with subsections (4) to (6).

*Exercise of discretion must be reasonable*

- (4) The responsible entity or its nominee must act reasonably in exercising a discretion covered by subsection (3).

Note: The responsible entity is also subject to its general duties under section 601FC including the duty to act in the best interests of the members of the scheme.

*Documentation of exercise of discretion*

- (5) The responsible entity must ensure that the records which it keeps under section 988A document how and why a decision to permit or refuse a hardship withdrawal was made.

*Access to and retention of documents*

- (6) The responsible entity must retain the documents covered by subsection (5) for 7 years after they cease to be current.”
-

09-00874

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**Revocation**

5. ASIC Instrument 09-00034 is revoked.

**Schedule**

Where a decision by the Responsible Entity to allow withdrawal from a Scheme is based on the following criteria and conditions:

	<b><u>Hardship Withdrawal Criteria</u></b>	<b><u>Condition</u></b>
1	Severe Financial Hardship	The amount requested is needed to enable the person to meet reasonable and immediate living expenses for themselves and/or their dependants.
2	Unemployment	For the avoidance of doubt, where the person has not been in gainful employment for a period of at least 3 months and has no other means of financial support (except government assistance, such as unemployment benefits).
3	Compassionate Grounds	<p>The amount requested is needed by the person (and/or the person's dependant):</p> <p>(a) to help pay for medical costs (and transport costs) required to treat a life-threatening illness or injury, to alleviate acute or chronic pain, or to alleviate an acute or chronic mental disturbance where 2 registered medical practitioners (at least one of whom must be a specialist) have provided certified statements confirming the medical condition to this effect;</p> <p>(b) to fund specific modifications (to a principal place of residence or vehicle) that are necessary to accommodate special needs arising from a severe disability;</p> <p>(c) to assist with funeral and other expenses</p>

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		<p>related to the death of the person's dependants;</p> <p>(d) to enable the person to provide care for another person who is dying from a terminal illness, including home care;</p> <p>(e) to prevent the person's mortgagee (lender) from selling the person's principal place of residence;</p> <p>(f) to meet a binding financial obligation entered into by the person prior to the responsible entity determining the registered scheme is non-liquid or otherwise determining that withdrawals should be suspended; or</p> <p>(g) to meet expenses in other cases consistent with grounds mentioned in paragraphs (a) to (f),</p> <p>where the person does not otherwise have the financial capacity to meet the expense.</p>
4	Permanent Incapacity	<p>Where the person has ceased gainful employment by reason of mental or physical ill-health and the responsible entity is satisfied that the person is unlikely ever again to engage in gainful employment of the type for which the person is reasonably qualified by education, training or experience.</p>

### Interpretation

For the purposes of this Schedule:

- (a) **another person**, when used in paragraph (d) of item 3, means any natural person.
- (b) **operator** means a person who is a member of a Scheme in its capacity as responsible entity or custodian of a registered scheme, trustee of a trust, trustee or custodian of a superannuation entity within the meaning of the *Superannuation Industry (Supervision) Act 1993*, trustee of a self-managed superannuation fund within the meaning of the *Superannuation Industry (Supervision) Act 1993* or provider or acquirer in relation to a custodial arrangement as defined in section 1012IA of the Act.

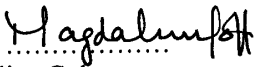


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- (c) the *person* means:
- (a) a member of a Scheme;
  - (b) where the member of a Scheme is an operator—a person who has asked the operator to exercise a right to withdraw; and
  - (c) where the member of a Scheme is dead—a person who is a beneficiary of the estate of the member.

Dated 22 October 2009

Signed   
Magdaline Goh  
as a delegate of the Australian Securities and Investments Commission

09-00876

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 1020F(1)(a) — Exemption**

Under paragraph 1020F(1)(a) of the *Corporations Act 2001* (*Act*) the Australian Securities and Investments Commission (*ASIC*) exempts the persons referred to in Schedule A from Division 5A of Part 7.9 of the Act in the case referred to in Schedule B and on the conditions referred to in Schedule C.

**Schedule A**

Lion Selection Limited ACN 123 217 112 (*Lion Selection*)  
Lion Selection Group Limited ACN 077 729 572 (*LSG*)

**Schedule B**

Where:

- (a) Holders of LSG shares acquired them pursuant to the LSG demerger;
- (b) Lion Selection has arranged for E.L. & C Baillieu Stockbroking Limited ACN 006 519 393 (*E.L. & C Baillieu*) to provide a matching facility;
- (c) The final sale price in the matching facility will be determined by a bookbuild;
- (d) No brokerage is payable by sellers of LSG shares into the matching facility;
- (e) Sellers of LSG shares will receive the proceeds from the sale by cheque as soon as practicable and in any event, within 2 weeks after the date on which the matching facility is completed.

**Schedule C**

- (a) The matching facility circular must contain the following:
  - (i) a description of the manner in which the sale and purchase of LSG shares through the matching facility will be conducted;
  - (ii) all dates that holders of LSG shares need to be aware of that are relevant to the participation in, and the conduct of the matching facility;
  - (iii) information about the minimum and maximum number (if any) of LSG shares a participating holder can sell or purchase through the matching facility, and any scale back of those amounts;
  - (iv) a description of how the price for the sale and purchase of LSG shares under the matching facility will be determined including a description of how the bookbuild is to be conducted;
  - (v) a statement that a holder of LSG shares may be able to sell or dispose of LSG shares following quotation on NSX at a price higher or lower than

09-00876

the price they would receive if they were to sell or dispose of their shares through the matching facility;

- (vi) a statement that the price at which a person buys LSG shares under the matching facility may be higher or lower than the price they would be able to buy LSG shares on market following the quotation of LSG shares on the NSX;
  - (vii) information about how to obtain the final sale price;
  - (viii) information about the advantages and disadvantages of participating in the matching facility;
  - (ix) information about any fees including brokerage payable by LSG shareholders who elect to participate in the matching facility;
  - (x) information about any other alternatives holders of LSG shares may have other than participating in the matching facility;
  - (xi) information about how the allocation of matching sell and buy requests under the matching facility will be undertaken where the quantity sought for purchase does not equal the quantity sought for sale; and
  - (xii) information about any other significant characteristics or features of the matching facility or of the rights, terms, conditions and obligations of those electing to participate in the matching facility.
- (b) The matching facility circular must be worded and presented in a clear, concise and effective manner.

### Interpretation

In this instrument:

**bookbuild** means a process, run by E.L. & C Baillieu in a manner consistent with the ordinary commercial practice for conducting a bookbuild and includes certain sophisticated or professional investors indicating the price or range of prices they would be willing to acquire LSG shares;

**LSG demerger** means a demerger of LSG as a wholly owned subsidiary of Lion Selection whereby all of the LSG shares are transferred from Lion Selection to Lion Selection shareholders (or to a nominee for certain overseas Lion Selection Shareholders) by way of a capital reduction; and

**matching facility** means a facility operated by E.L. & C Baillieu on behalf of Lion Selection through which an LSG shareholder can offer to sell or buy LSG shares in accordance with the terms set out in matching facility circular dated on or about 9 October 2009 (**matching facility circular**);

09-00876

*NSX* means the financial market operated by National Stock Exchange Limited ACN 000 902 063.

*participating holder* means a person who:

- (a) holds or, subject to the LSG demerger taking effect, is entitled to be transferred a LSG share; and
- (b) has elected to participate in the matching facility.

Dated this 19<sup>th</sup> day of October 2009



Signed by Kim Huynh  
as delegate of the Australian Securities and Investments Commission

09-00877

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 1020F(1)(a) — Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (**ASIC**) makes this instrument under paragraph 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

**Exemption**

2. ASIC exempts ETRADE Australia Securities Limited ACN 078 174 973 (**ETRADE**) from section 1017F of the Act where ETRADE sells, on behalf of a participating holder, shares in AMP Limited ACN 079 354 519 (**AMP**) under the terms of a sale facility:
  - a) mentioned in a notice given by AMP to ASX Limited on or about 16 October 2009; and
  - b) to which ASIC Class Order [CO 08/10] applies.

**Conditions**

3. ETRADE must give or send to each participating holder, as soon as is reasonably practicable after the end of the sale period, a document that contains the following information:
  - a) the number of shares sold for the participating holder through the sale facility in the sale period;
  - b) the sale period;
  - c) the volume weighted average price that will be paid to a participating holder for each share sold through the facility.

**Interpretation**

4. In this instrument:

*facility* has a meaning affected by section 762C of the Act.

*holder* has the meaning given by section 761A of the Act.

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*participating holder* means a person who:

- a) holds shares in AMP; and
- b) has been invited by AMP to participate in the sale facility; and
- c) has elected to participate in the facility.

*sale period* means 9 November 2009 to 27 November 2009 (inclusive of both dates).

*volume weighted average price* means the volume weighted average price of all shares in AMP sold by ETRADE through the sale facility during the sale period under the terms of the facility.

Dated this 19th day of October 2009



Signed by Naomi Miller  
as a delegate of the Australian Securities and Investments Commission

09-00878

**Australian Securities and Investments Commission  
Corporations Act 2001 - Subsection 741(1) – Exemption & Declaration**

1. Under paragraph 741(1)(a) of the *Corporations Act 2001 (Act)* the Australian Securities and Investments Commission (**ASIC**) exempts the person specified in Schedule A, in the case specified in Schedule B, from compliance with Parts 6D.2 and 6D.3 of the Act.
2. Under paragraph 741(1)(b) of the Act, ASIC declares that Chapter 6D of the Act applies to the persons specified in Schedule C in the case referred to in Schedule D, as if section 707 of the Act were modified or varied by omitting subsections 707(3), (4), (5) and (6) of the Act and substituting:

“(5) An offer of a body's securities for sale within 12 months after their sale by a person who controlled the body at the time of the sale needs disclosure to investors under this Part if:

  - (a) at the time of the sale by the controller either:
    - (i) the securities were not quoted; or
    - (ii) although the securities were quoted, they were not offered for sale in the ordinary course of trading on a relevant financial market on which they were quoted; and
  - (b) the controller sold the securities without disclosure to investors under this Part; and
  - (c) the controller sold the securities with the purpose of the person to whom they were sold:
    - (i) selling or transferring the securities; or
    - (ii) granting, issuing or transferring interests in, or options or warrants over the securities;

and section 708 does not say otherwise.

(6) Unless the contrary is proved, a person who controls a body is taken to sell securities with the purpose referred to in paragraph (5)(c) if any of the securities are subsequently sold, or offered for sale, within 12 months after their sale by the controller.”.

**Schedule A**

Lion Selection Limited ACN 123 217 112 (*Lion Selection*)

09-00878

**Schedule B**

An offer of securities in Lion Selection Group Limited ACN 077 729 572 (**LSG**) for sale by Lion Selection to shareholders of Lion Selection detailed in a notice of meeting and explanatory booklet (which includes the Part 5.1 scheme explanatory statement) dispatched to shareholders of Lion Selection on or about 16 October 2009.

**Schedule C**

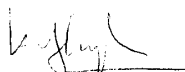
Shareholders of LSG who make an offer for sale of the kinds referred to in Schedule D

**Schedule D**

An offer for the sale of LSG shares where:

- (a) the shares were transferred to a person who is a shareholder of Lion Selection in accordance with the offer described in Schedule B; and
- (b) the offer is not made within 12 months of a sale or transfer of the shares by a person (**controller**) who controls LSG and the controller:
  - (i) would have been required by subsection 707(2) of the Act to give disclosure to investors under Part 6D.2 of the Act but for section 708 of the Act; and
  - (ii) did not give disclosure to investors under Part 6D.2 of the Act because of section 708 of the Act.

Dated this 19<sup>th</sup> day of October 2009



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Signed by Kim Huynh

as a delegate of the Australian Securities and Investments Commission

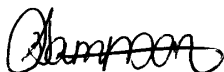


09-00879

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 992B(1)(a) — Exemption**

Under paragraph 992B(1)(a) of the *Corporations Act 2001 (Act)* the Australian Securities and Investments Commission exempts Griffin Financial Services Pty Ltd ACN 103 563 051 from sections 989B(2) and 989B(3) of the Act for the financial year ended 30 June 2009 on the condition that the financial operations of Griffin Financial Services Pty will be consolidated with the audited accounts of its parent company Capricorn Investment Partners Limited ACN 095 998 771 for the period.

Dated this 20th day of October 2009



Signed by Zoe Sampson  
as a delegate of the Australian Securities and Investments Commission

09-00882

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

Under paragraph 911A(2)(l) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission (*ASIC*) exempts the person referred to in Schedule A from the requirement to hold an Australian financial services licence in the case referred to in Schedule B.

**Schedule A**

OZ Management LP (the *body*) where all of the following apply:

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

**Schedule B**

Where:

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1. the body provides any of the following financial services (the *financial services*) in this jurisdiction to wholesale clients:
  - (a) providing financial product advice;
  - (b) dealing in a financial product;
  - (c) making a market for a financial product; or
  - (d) providing a custodial or depository service;in respect of any of the following financial products:
  - (e) derivatives;
  - (f) foreign exchange contracts;
  - (g) securities;
  - (h) debentures, stocks or bonds issued by a government;
  - (i) interests in a managed investment scheme that is not required to be registered under Chapter 5C of the Act; or
  - (j) managed investment products; and
2. the body has provided ASIC with:
  - (a) evidence that paragraph (a) of Schedule A is satisfied that ASIC has stated in writing is adequate; and
  - (b) a notice that it will provide financial services in this jurisdiction in reliance on this instrument; and
  - (c) a deed of the body for the benefit of and enforceable by ASIC and the other persons referred to in subsection 659B(1) of the Act that applies notwithstanding that the body may have ceased to rely, or never have relied, on this instrument, which deed provides that:
    - (i) the deed is irrevocable except with the prior written consent of ASIC; and
    - (ii) the body submits to the non-exclusive jurisdiction of the Australian courts in legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise; and
    - (iii) the body covenants to comply with any order of an Australian court in respect of any matter relating to the provision of the financial services; and

**09-00882**

- (iv) if the body is not registered under Division 2 of Part 5B.2 of the Act, service of process on the body in relation to legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise can be effected by service on the Agent; and
- (v) the body covenants that, on written request of either the SEC or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the SEC to disclose to ASIC and ASIC to disclose to the SEC any information or document that the SEC or ASIC has that relates to the body; and
- (d) written consents to the disclosure by the SEC to ASIC and ASIC to the SEC of any information or document that the SEC or ASIC has that relates to the body. The consents must be in such form (if any) as ASIC specifies in writing.

**Schedule C**

1. The body must provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the US regulatory requirements if the financial service were provided in the US in like circumstances.
2. The body must:
  - (a) notify ASIC, as soon as practicable and in such form if any as ASIC may from time to time specify in writing, of the details of:
    - (i) each significant change to, including the termination of, the registration as a registered investment adviser applying to the body relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (ii) each significant particular exemption or other relief which the body obtains from the US regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
  - (aa) notify ASIC by 31 March and 30 September of each year in such form if any as ASIC may from time to time specify in writing:
    - (i) either:
      - (A) of the details of each significant change (a **notifiable regulatory change**) to the US regulatory

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requirements (including in the power or authority of the SEC to supervise, monitor or procure compliance by the body with the US regulatory requirements with respect to the provision of the financial services) in the 6 months (the *notification period*) ending on the 15th day of the month by the end of which the notification is required that is relevant to the financial services the body provides or intends to provide in this jurisdiction and is not a change that ASIC has stated in writing is not required to be notified for the purpose of this instrument; or

- (B) where there have been no notifiable regulatory changes — that there have been no notifiable regulatory changes; and
- (ii) either:
  - (A) of the details of each enforcement or disciplinary action (a *notifiable regulatory action*) taken by the SEC or any other overseas regulatory authority against the body during the notification period; or
  - (B) where there have been no notifiable regulatory actions — that there have been no notifiable regulatory actions; and
- (b) provide written disclosure to all persons to whom the financial services are provided in this jurisdiction (before the financial services are provided) containing prominent statements to the following effect:
  - (i) the body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
  - (ii) the body is regulated by the SEC under US laws, which differ from Australian laws.

### Interpretation

In this instrument:

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

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

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

**ASIC Act** means the Australian Securities and Investments Commission Act 2001 (Cth).

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

**derivative** has the meaning given by section 761D of the Act.

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

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

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

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

**managed investment products** has the meaning given by section 764A(1)(b) of the Act.

**notice** and **notified** mean, respectively, written notice and notified in writing.

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

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

**SEC** means the Securities and Exchange Commission of the US.

**securities** has the meaning given by section 761A of the Act.

**US** means the United States of America.

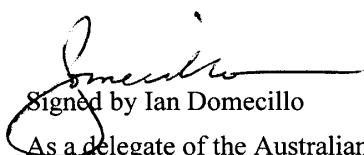
**US regulatory requirements** means the rules that apply in relation to the financial services including any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the SEC.

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

#### Commencement

This instrument takes effect on gazettal.

Dated this 22nd day of October 2009



Signed by Ian Domecillo  
As a delegate of the Australian Securities and Investments Commission



09-00884

ASIC

Australian Securities &amp; Investments Commission

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

Under paragraphs 655A(1)(b) and 673(1)(b) of the *Corporations Act 2001 (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:

1. section 609 of the Act were modified or varied by adding after subsection (10):  
  
    “(11)      A person does not have a relevant interest in securities merely because they apply restrictions on the disposal of the securities by the holder”; and
2. Part 6C.1 of the Act were modified or varied by adding after section 671B:  
  
    “671BA      For the purposes of section 671B and the definition of ***substantial holding*** in section 9, a person has a relevant interest in securities if the person would have a relevant interest in the securities but for subsection 609(11)”.

**Schedule A**

Mercury Mobility Ltd ACN 125 736 914 (***Company***)

**Schedule B**

An acquisition of a relevant interest in 93,813,605 ordinary fully paid shares in the Company (***Escrowed Securities***) arising as a result of the entry into escrow agreements (***Restriction Agreement***) on or about 30 October 2009 by the Company and each of the persons named in Schedule C (***Security Holders***), where the Restriction Agreement:

- (a) restricts disposal of, but not the exercise of voting rights attaching to, the Escrowed Securities;
- (b) terminates no later than 6 months after the date it is entered into between the Company and the Security Holders;
- (c) allows the holder of the relevant Escrowed Securities to accept into a takeover bid where holders of at least half of the bid class securities that are not subject to the Restriction Agreements to which the offer under the bid relates have accepted;

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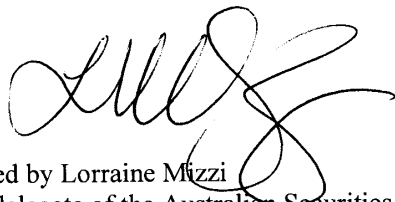
- (d) requires that the shares be returned to escrow if the above bid in paragraph (c):
  - (i) does not become unconditional; or
  - (ii) does not take effect;
- (e) allows the Escrowed Securities the subject of the Restriction Agreement to be transferred or cancelled as part of a scheme of arrangement under Part 5.1 of the Act; and
- (f) is substantially in the same form provided to ASIC on 16 October 2009.

**Schedule C**

Yahoo! Digital Media (Content) Pty Limited ACN 117 042 654

Alcatel-Lucent Australia Limited ACN 000 005 363

Telstra Corporation Limited ACN 051 775 556

Dated this 21<sup>st</sup> day of October 2009

Signed by Lorraine Mizzi  
as a delegate of the Australian Securities and Investments Commission



09-00885

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 741(1)(a) –  
Exemption**

**Enabling provisions**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 741(1)(a) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 09-00885.

**Exemption**

3. Atlantic Gold NL ACN 062 091 909 (*issuer*) does not have to comply with Part 6D.2 or 6D.3 of the Act (other than sections 736 and 738) for an offer of shares for issue, made on or about 26 October 2009, under a purchase plan.

**Where relief applies**

4. The exemption in paragraph 3 applies to a written offer for the issue of shares where the following requirements are met at the time that the offer is made:
    - (a) the shares are in a class (the *class*) which:
      - (i) is quoted on the financial market operated by ASX; and
      - (ii) is not suspended from trading and was not suspended from trading on that market for more than a total of 5 days during the shorter of the period during which the class was quoted, and the period of 12 months before the day on which the offer is made;
    - (b) a determination under subsection 708AA(3) or 708A(2) of the Act is not in force in relation to the issuer;
    - (c) no exemption under section 111AS or 111AT of the Act covered the issuer, or any person as director or auditor of the issuer, at any time in the shorter of the period during which the class was quoted, and the period of 12 months before the day on which the offer is made;
    - (d) no order under section 340 or 341 of the Act (other than an excluded order) covered the issuer, or any person as director or auditor of the issuer, at any time in the shorter of the period during which the class was quoted, and the period of 12 months before the day on which the offer is made;
    - (e) the written offer document contains the following information:
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- (i) the method used to calculate the issue price and the time when this price will be determined; and
  - (ii) a statement describing the relationship between the issue price and the market price; and
  - (iii) disclosure of the risk that the market price may change between the date of the offer and the date when the shares are issued to an applicant under the purchase plan, and the effect this would have on the price or value of the shares which the applicant would receive; and
- (f) the issuer has either:
- (i) not more than 30 days before the offer, given a notice to ASX that complies with subsection 708A(6) of the Act in relation to an issue of shares in the class made otherwise than under a purchase plan; or
  - (ii) within the 24 hour period before the offer, given a notice to ASX that:
    - (A) states that the issuer will make offers to issue shares under a purchase plan without disclosure to investors under Part 6D.2 of the Act; and
    - (B) states that the notice is being given in accordance with this instrument; and
    - (C) states that, as at the date of the notice, the issuer has complied with the provisions of Chapter 2M of the Act as they apply to the issuer and section 674 of the Act; and
    - (D) sets out any information that is excluded information as at the date of the notice (in accordance with the requirements of subsections 708A(7) and (8) of the Act as if the notice were a notice under paragraph 708A(5)(e) of the Act).

### Conditions

5. Subject to paragraph 6, the issuer must not issue shares to a registered holder under the purchase plan unless the holder has, on application for the shares, provided the issuer with a certification to the effect that the total of the application price for the following does not exceed \$15,000:
- (a) the shares the subject of the application; and
  - (b) any other shares in the class issued to the holder under the purchase plan or any similar arrangement in the 12 months before the application; and
  - (c) any other shares in the class which the holder has instructed a custodian to acquire on their behalf under the purchase plan; and
  - (d) any other shares in the class issued to a custodian in the 12 months before the application as a result of an instruction given by the holder to the
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custodian to apply for shares on their behalf under an arrangement similar to the purchase plan.

6. If the purchase plan involves custodian offers, the issuer must not issue shares to a custodian with a total application price exceeding \$15,000 in any 12 month period unless on application for the shares, the custodian certifies the following in writing to the issuer:
  - (a) that the custodian holds shares in the class on behalf of one or more other persons (each a *participating beneficiary*) on the date referred to in paragraph (a) of the definition of *purchase plan* who have subsequently instructed the custodian to apply for shares on their behalf under the purchase plan;
  - (b) the number of participating beneficiaries;
  - (c) the name and address of each participating beneficiary;
  - (d) in respect of each participating beneficiary, the number of shares in the class that the custodian holds on their behalf;
  - (e) in respect of each participating beneficiary, the number or the dollar amount of shares they instructed the custodian to apply for on their behalf;
  - (f) there are no participating beneficiaries in respect of which the total of the application price for the following exceeds \$15,000:
    - (i) the shares applied for by the custodian on their behalf under the purchase plan; and
    - (ii) any other shares in the class issued to the custodian in the 12 months before the application as a result of an instruction given by them to the custodian to apply for shares on their behalf under an arrangement similar to the purchase plan.
7. The issuer must not issue shares under the purchase plan unless the issuer is reasonably satisfied that the total of the application price for the following will not exceed \$15,000 in relation to any person as a result of issuing the shares:
  - (a) the shares issued to the person under the purchase plan; and
  - (b) any other shares in the class issued to the person under an arrangement similar to the purchase plan in the 12 months before the date of issue under the purchase plan; and
  - (c) any other shares in the class issued to a custodian as a result of an instruction given by the person to the custodian to apply for shares on their behalf under the purchase plan; and
  - (d) any other shares in the class issued to a custodian in the 12 months before the date of issue under the purchase plan as a result of an instruction given by the person to the custodian to apply for shares on their behalf under an arrangement similar to the purchase plan,

except to the extent that the person is issued with shares as a custodian under a custodian offer.

8. If:

- (a) a notice given under subsubparagraph 4(f)(ii) is defective; and
- (b) the issuer becomes aware of the defect in the notice within 12 months after the shares are issued under the offer,

the issuer must, within a reasonable time after becoming aware of the defect, give ASX a notice that sets out the information necessary to correct the defect.

### Interpretation

9. For the purposes of this instrument:

- (a) **ASX** means ASX Limited ACN 008 624 691.

**custodial or depositary service** has the meaning given by section 766E of the Act.

**custodian** means a registered holder:

- (a) that holds an Australian financial services licence that:
  - (i) covers the provision of a custodial or depositary service; or
  - (ii) includes a condition requiring the holder to comply with the requirements of ASIC Class Order [CO 02/294]; or
- (b) that is exempt under:
  - (i) paragraph 7.6.01(1)(k) of the *Corporations Regulations 2001*; or
  - (ii) ASIC Class Order [CO 05/1270] to the extent that it relates to ASIC Class Order [CO 03/184],

from the requirement to hold an Australian financial services licence for the provision of a custodial or depositary service.

**custodian offer** means an offer to a registered holder to the extent that it is of the kind referred to in paragraph (b) of the definition of **purchase plan**.

**excluded order** means ASIC Class Orders [CO 98/100], [CO 98/101], [CO 98/104], [CO 98/1418], [CO 98/2395], [CO 99/90], [CO 00/2449], [CO 05/642], [CO 05/644] and [CO 06/441].

**IDPS** has the meaning given by ASIC Class Order [CO 02/294].

**IDPS contract** has the meaning given by ASIC Class Order [CO 02/294].

**operator** has the meaning given by ASIC Class Order [CO 02/294].

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***purchase plan*** means an arrangement under which:

- (a) an offer is made to each registered holder of shares in the class on a date determined by the issuer, and whose address (as recorded in the register of members) is in a place in which, in the reasonable opinion of the issuer, it is lawful and practical for the issuer to offer and issue shares to that person;
- (b) an offer may enable a registered holder who is a custodian to acquire shares on behalf of a person (the ***beneficiary***) on whose behalf the custodian is holding shares in the class;
- (c) each offer is made on:
  - (i) the same terms and conditions:
    - (A) to the extent it is an offer to a registered holder to acquire shares on their own behalf; and
    - (B) to the extent (if any) it is an offer to a registered holder to acquire shares as a custodian on behalf of a beneficiary; and
  - (ii) a non-renounceable basis;
- (d) if offers of the kind referred to in subsubparagraph (c)(i)(B) are made—the terms and conditions on which a registered holder may acquire shares on their own behalf or as a custodian on behalf of a beneficiary are as nearly as practicable the same;
- (e) the issue price is less than the market price during a specified period in the 30 days before either the date of the offer or the date of the issue; and
- (f) the total application price for the shares acquired by a person on their own behalf and by a custodian on behalf of the person in any 12 month period does not exceed \$15,000.

***registered holder*** means a person recorded in the register of members of a body as a member of the body.

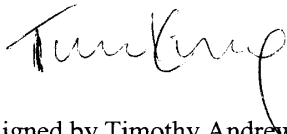
- (b) if 2 or more persons are recorded in the register of members as jointly holding shares in the body they are taken to be a single registered holder and a certification given by any of them for the purposes of paragraph 5 is taken to be a certification given by all of them.
- (c) if a custodian holds shares jointly on behalf of 2 or more persons:
  - (i) the \$15,000 limit applies jointly in relation to those persons as if the custodian held the shares on behalf of a single person; and
  - (ii) the custodian is taken to have been instructed to apply for shares on behalf of those persons if:
    - (A) the custodian has received such an instruction in accordance with the terms on which the shares are held; or

- (B) where the terms on which the shares are held do not cover the giving of instructions of this kind—the custodian has received such an instruction from any of those persons.
  - (d) references to an issuer offering shares include the issuer inviting applications for the issue of the shares.
  - (e) a notice is *defective* if the notice:
    - (i) does not comply with sub-subsubparagraph 4(f)(ii)(D); or
    - (ii) is false in a material particular; or
    - (iii) has omitted from it a matter or thing the omission of which renders the notice misleading in a material respect.
  - (f) an arrangement covered by ASIC Class Orders [CO 02/831] or [CO 02/832] is taken to be similar to a purchase plan.
  - (g) an arrangement is not to be taken not to be similar to a purchase plan merely because:
    - (i) only one of them involves custodian offers; or
    - (ii) they involve different maximum levels of applications by registered holders.
  - (h) if:
    - (i) the purchase plan involves custodian offers; and
    - (ii) shares in the class are held through an IDPS by a custodian; and
    - (iii) the operator of the IDPS holds the beneficial interests in the shares on behalf of a person (*IDPS client*) with whom the operator has entered into an IDPS contract,then this instrument applies as if:
    - (iv) the custodian holds the shares on behalf of the IDPS client; and
    - (v) any instruction given by the IDPS client to the operator to acquire shares under the purchase plan on their behalf were an instruction given to the custodian; and
    - (vi) any shares applied for by the custodian as a result of an instruction given by the IDPS client to the operator were applied for on behalf of the IDPS client.
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09-00885

Dated the 23rd day of October 2009

A handwritten signature in black ink, appearing to read 'Tim King', with a stylized, flowing script.

Signed by Timothy Andrew King  
as a delegate of the Australian Securities and Investments Commission

09-00887

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

1. Under paragraph 601QA(1)(a) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (**ASIC**) revokes ASIC Instrument [01/0369].
2. Under paragraph 601QA(1)(a) of the Act ASIC exempts Paradise Timeshare Club Ltd ACN 002 888 557 (the **Operator**) in relation to the time-sharing scheme in the case specified in Schedule A from section 601ED of the Act on the conditions set out in Schedule B for so long as those conditions are met.
3. Under paragraph 911A(2)(l) of the Act ASIC exempts the Operator and any person engaged by the Operator as manager in relation to the time-sharing scheme from the requirement to hold an Australian financial services licence for the financial service consisting of general advice and dealing in a financial product in the case specified in Schedule A on the conditions set out in Schedule C for so long as those conditions are met.

**SCHEDULE A**

The operation of the time-sharing scheme known as Port Pacific Resort in relation to property located at 6-14 Clarence Street, Port Macquarie in the State of NSW (the **Scheme**) or the property that members of the Scheme have a right to use, occupy or possess as part of the Scheme where:

1. the management of the property to which the Scheme relates is supervised by a company;
  2. at least 90% of the votes that may be cast on a resolution of the members of the Club are held by members who are not, and are not associated in relation to the Scheme with, an operator, manager, promoter or developer of the Scheme, other than where those votes are held by members solely in their capacity as an associate of the Club;
  3. at least 90% by value or number of all the interests in the Scheme that can be issued have been issued and are held by persons who are not, and are not associated in relation to the Scheme with any operator, manager, promoter or developer in relation to the Scheme, other than where held by members solely in their capacity as an associate of the Club;
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4. no promoter of the Scheme nor any developer in relation to the scheme property has failed to perform any contractual obligation to any member in relation to the Scheme that is likely to adversely affect the member's interests;
5. the constitution of the Club provides for the removal of a director if a resolution for their removal is supported by more than 50% of its members by value or if the constitution so provides, by number; and
6. all decisions in relation to the operation of the Scheme that materially affect the interests of members may be made only by the Club or the Club has a right of veto in relation to such decisions.

#### SCHEDULE B

1. In relation to each building that was to be built under the terms of:
  - (a) if there are interests in the Scheme to which the new product disclosure provisions (as defined in section 1438 of the Act) do not apply—the prospectus used for an offer of interests in the Scheme; or
  - (b) in the case of other interests—the Product Disclosure Statement used for an offer of interests in the Scheme,for interests in the Scheme, the Operator:
  - (c) ensures that the building is substantially completed to the extent that members will not be materially affected if no further construction occurs; or
  - (d) gives ASIC a notice in writing stating that the building will not be substantially completed and that the members of the Scheme will not be materially affected by its not being substantially completed.
2. The Operator must ensure that either
  - (a) the scheme property is held on trust for members: or
  - (b) members hold title to the scheme property and all members:
    - (i) have received their shares or membership certificates in the Club; and
    - (ii) fall into one or more of the following categories:
      - (A) they have received a certificate of title showing the member as holding title in a portion of the property in accordance with their entitlement (and where there is no certificate of title issued by the relevant titles registry, a copy of a registration confirmation statement or other

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evidence of title issued by the relevant titles registry) showing the member as holding title in a portion of the real property to which the scheme relates in accordance with their entitlement; or

(B) they have received a copy of the certificate of title certified as a true copy by a Justice of the Peace or a lawyer, where the Club has acknowledged that it is holding such a certificate in safe custody to be dealt with in accordance with the provisions in the Club's constitution that provide for the certificate to be used only to facilitate a transfer authorised by the member, or on forfeiture of the interest; or

(C) they became members as a result of an offer that was consequent upon the forfeiture of the interest by a former member.

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

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

unless:

- (e) the management agreement was in force on 6 December 1999;
- (f) there has not since that date been any lawful means for the Club to terminate the agreement;
- (g) members are given at least 21 days' written notice that the Operator seeks to rely on the exception contained in paragraphs (e) to (n) of this Schedule and that the management agreement does not meet the usual requirements of ASIC policy concerning how a management agreement may be terminated;

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- (h) the notice sent to members allows the member to requisition a vote by ticking a form accompanying the notice;
- (i) the notice contains a summary of all material information that is relevant to a member's decision whether to requisition a vote;
- (j) the notice states prominently a reply paid address to which the form requisitioning a vote may be sent;
- (k) the notice states prominently that if:
  - (i) members who together hold at least 5% of the total value of the interests in the Scheme; or
  - (ii) at least 100 members,

requisition a vote by giving written notice to the reply paid address within 21 days from the date that the notice may reasonably be expected to be received by them, a postal vote will be held on whether the Operator should be able to rely on this exception or should be required to comply with the usual ASIC policy concerning how a management agreement may be terminated;

- (l) a postal vote is conducted, if requisitioned, in accordance with the notice as soon as practicable;
- (m) if there is a postal vote:
  - (i) a voting paper is sent to each member and states a reply paid address to which the voting paper may be sent;
  - (ii) members must be notified in, or in a document accompanying, the voting paper that
    - (A) only votes received at the reply paid address within 28 days after the issue of the voting paper will be counted;
    - (B) the vote will be taken as passed if supported by either a majority by value or by number of votes cast (as specified in the notice);
  - (iii) the voting paper must be accompanied by a notice which explains that unless members vote against permitting the Operator being allowed to rely upon this exception, the Operator may be permitted to do so despite the management agreement not complying with the usual ASIC policy concerning how a management agreement may be terminated;
  - (iv) the notice accompanying the voting paper must contain a summary of information that is materially relevant to a member's decision whether to vote for or against the proposed resolution; and

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- (n) ASIC is notified in writing where a vote was required and, if so, whether the vote was passed.
- 4. The Operator establishes, and maintains, an adequate internal dispute resolution procedure:
  - (i) in accordance with subparagraph 912A(2)(a)(i) of the Act as if the Operator were a licensee that was subject to that subparagraph; and
  - (ii) that covers complaints against the Operator made by members in connection with the operation of the Scheme.
- 5. The Operator must not make or facilitate the making of any offer for issue or sale of an interest in the Scheme unless the issue or sale is subject to a cooling-off period of:
  - (i) if the Operator is a member of the Australian Timeshare & Holiday Ownership Council Limited ACN 065 260 095 and has not been notified in writing by ASIC that it cannot continue to rely on this subparagraph - not less than 7 days;
  - (ii) otherwise - not less than 14 calendar days.

### SCHEDULE C

- 1. The Operator must ensure that it does not resell more than 5% of the interests in the Scheme in one calendar year.
- 2. The Operator must not make or facilitate the making of any offer for issue or sale of an interest in the Scheme unless the issue or sale is subject to a cooling off period of:
  - (i) if the Operator is a member of the Australian Timeshare & Holiday Ownership Council Limited ACN 065 260 095 and has not been notified in writing by ASIC that it cannot continue to rely on this subparagraph - not less than 7 days.
  - (ii) otherwise - not less than 14 calendar dayscommencing on the date on which the applicant acknowledges receipt of the Product Disclosure Statement and the cooling-off statement referred to in paragraph 2 of this Schedule.
- 3. The Operator must not resell any interest in the Scheme, unless the applicant has provided the acknowledgment of receipt referred to in paragraph 2 of this Schedule.
- 4. Each application form relating to an interest in the Scheme must be accompanied by a separate statement in a form approved by ASIC which:

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

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**Interpretation**

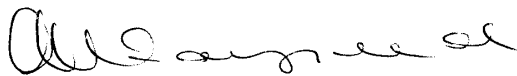
In this instrument:

**Club** means the combined operation of the Scheme and the management of the property to which the scheme relates where a company supervises the management of the property.

**Commencement**

This instrument takes effect on gazettal.

Dated this 22nd day of October 2009



Signed by Aileen Sarsfield as a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001  
Subsection 601PB(2)

Notice is hereby given that the managed investment scheme(s) mentioned below will be deregistered when two months have passed since the publication of this notice.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
CHALLENGER ENHANCED OPPORTUNITY SHARE FUND	121 326 083
CHALLENGER GLOBAL INFRASTRUCTURE FUND	118 496 889
COLONIAL FIRST STATE WHOLESALE LOW TRACKING ERROR AUSTRALIAN SHARE FUND - CORE	089 303 417
COMMONWEALTH AUSTRALIAN SHARE FUND 22	113 917 687
COMMONWEALTH CASH FUND 2	099 921 203
COMMONWEALTH FIXED INTEREST FUND 5	099 940 468
COMMONWEALTH INTERNATIONAL FIXED INTEREST FUND 1	099 912 919
COMMONWEALTH PROPERTY FUND 4	099 941 161
CUSTOM CHOICE AUSTRALIAN SHARE PORTFOLIO	092 203 202
CUSTOM CHOICE BALANCED PORTFOLIO	099 629 795
CUSTOM CHOICE CONSERVATIVE PORTFOLIO	099 756 260
CUSTOM CHOICE DIVERSIFIED FIXED INTEREST PORTFOLIO	100 477 647
CUSTOM CHOICE GROWTH PORTFOLIO	115 225 182
CUSTOM CHOICE HIGH GROWTH PORTFOLIO	100 478 788
CUSTOM CHOICE MODERATELY CONSERVATIVE PORTFOLIO	099 756 546
CUSTOM CHOICE MTM BALANCED FUND	090 850 230
CUSTOM CHOICE MTM DIVERSIFIED GROWTH FUND	090 850 187
CUSTOM CHOICE MTM INTERNATIONAL SHARE FUND	090 787 563
CUSTOM CHOICE PROPERTY SECURITIES PORTFOLIO	099 659 695
CUSTOM CHOICE WHOLESALE MTM DIVERSIFIED GROWTH FUND	090 577 236
CUSTOM CHOICE WHOLESALE MTM INTERNATIONAL SHARE FUND	090 577 996
DEUTSCHE RETAIL INFRASTRUCTURE TRUST	094 752 806
DIVERSIFIED CAPITAL STABLE FUND	096 853 002
GEARED AUSTRALIAN SHARES INDEXED FUND	125 839 590
GMO GLOBAL GROWTH TRUST	108 718 967

Name of Scheme	ARSN
HYPERION MANAGED FUND	089 548 201
SECTOR LEADERS CORE PORTFOLIO MANAGED 20 LEADERS FUND	093 527 694
THE CONSERVATIVE OUTCOMES FUND	098 133 110
THE ENHANCED OUTCOMES FUND	089 510 467
THE MOORES FINANCE MORTGAGE FUND	097 815 677
UNITED LISTED PROPERTY FUND	100 071 136
WHOLESALE DIVERSIFIED BALANCED FUND	095 736 128
WHOLESALE DIVERSIFIED HIGH GROWTH FUND	095 735 961

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CORPORATIONS ACT 2001  
Subsection 601PA(3)

Notice is hereby given that the managed investment scheme(s) mentioned below will be deregistered when two months have passed since the publication of this notice.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Scheme**

**ARSN**

DUBLEO (USA) STALLION SYNDICATE	116 069 517
HALF HENNESSY (AUS) STALLION SYNDICATE	108 475 985
MARWINA (AUS) STALLION SYNDICATE	108 320 378
ZARIZ (AUS) STALLION SYNDICATE	108 320 681

CORPORATIONS ACT 2001  
Subsection 601AA(4)

Notice is hereby given that the companies mentioned below will be deregistered when two months have passed since the publication of this notice.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ACN
"OZ SHINE" CLEANING PTY LTD	119 330 988
A.C.N. 100 545 122 PTY LTD	100 545 122
A.C.N. 107 174 363 PTY LTD	107 174 363
A.C.N. 131 902 684 PTY LTD	131 902 684
A.LOCKREY TRANSPORT PTY LTD	135 652 685
A & C TAYLOR ENTERPRISES PTY LTD	107 187 726
AAA MINING SERVICES AND EQUIPMENT PTY LTD	076 288 492
AAZAA INSTITUTE PTY LTD	130 899 866
ACCOUNTING SOLUTIONS TASMANIA PTY LTD	127 775 964
AC HARVESTING PTY. LTD.	125 936 843
ADVANCE SOLUTION PTY LTD	097 350 082
AGARWAL & RAJ PTY. LTD.	135 753 972
ANBA KIROLOS PTY. LTD.	124 210 395
APID GROUP PTY LTD	127 506 889
APPLIED PROPERTY RESEARCH PTY LTD	001 810 224
ARROW CONSULTING NZ PTY. LTD.	061 254 966
ARTHUR PATTISON NOMINEES PTY. LTD.	005 163 486
ASPECT FINANCIAL PTY. LIMITED	080 319 339
AUSTRALIAN GREENHOUSE CONSTRUCTIONS PTY LTD	129 215 916
AUSTRALIAN SARDINES COMPANY PTY LIMITED	055 026 358
AUSTRALIS PROPERTY PTY LIMITED	111 378 002
AZZI CLEANING SERVICES PTY LIMITED	060 450 115
BABCOCK & BROWN PROPERTIES PTY LIMITED	006 417 509
BABY SUPPORT PTY LTD	132 268 010
BARANLI PTY. LTD.	060 880 104

Name of Company	ACN
BEAMSWORTH PTY LTD	129 886 746
BELLETTE PROPERTIES PTY LTD	102 749 388
BLOOM PARTNERSHIP PTY LTD	136 994 379
BOB MANSER ELECTRICAL PTY LTD	002 241 616
BOSEN INTERNATIONAL PTY LTD	096 864 872
BOXXA PTY LTD	116 267 611
BRAVO COMPANY PTY. LTD.	125 525 653
BTWW PTY LTD	127 542 205
BY LAW PTY. LIMITED	005 585 759
C & L MINING SERVICES PTY LTD	117 430 627
CAMPASPE PROPERTY DEVELOPMENTS PTY LTD	107 042 295
CARLAPARK PTY. LTD.	050 275 397
CASCADE BAY PTY LTD	066 067 641
CASSAR NOMINEES PROPRIETARY LIMITED	005 399 422
CAVALLIO PTY. LTD.	075 612 985
CHAD CONSULTING PTY LTD	125 616 097
CHASKA PTY LTD	116 315 309
CHRISMART CONTRACTING PTY LTD	088 757 671
CHRISTRAD PTY LTD	127 079 458
CICCHIANNI MALONE PTY LTD	079 102 355
CITI-ROCK LIMITED	119 394 866
CLAUDIA CONTESSINI PTY LTD	108 127 073
COASTWIDE PLUMBING (NSW) PTY LTD	106 031 618
COMSEAL TECHNOLOGIES PTY LTD	122 619 916
CONSTRUCTION MATERIALS AUSTRALIA PTY LIMITED	116 145 898
CORELECTRICAL PTY LTD	112 968 260
CORMARK AGENCIES PTY LTD	127 460 235
CORPORATE PEOPLE PTY LTD	122 787 482
CREWSKI PTY LTD	102 242 606
CUTLER WARN & ASSOCIATES PTY LTD	086 473 994
D.S.F. (SUPERANNUATION) PTY. LTD.	074 348 986
D & B RISTEVSKI PTY LTD	103 404 280
DAN'S POYNT PTY LTD	077 431 488
DIET PLATE AUSTRALIA PTY LTD	137 980 208
D J PHOTOGRAPHIC LAB REPAIRS PTY LTD	079 827 231
DOMAIN LORNE RESORT PTY LTD	128 713 440
DUNNROCK PTY. LTD.	092 032 070
ELLMO.COM.AU PTY. LTD.	128 937 780

Name of Company	ACN
EMBELLISH JEWELS PTY. LTD.	110 203 097
EVANWOOD INVESTMENTS PTY LTD	010 293 517
FORSENZIO PTY LTD	079 666 354
FREMANTLE WOOL TRADERS PTY LTD	009 144 094
FSG CONSULTING PTY LTD	121 454 162
G & L HOLDINGS (NSW) PTY LTD	126 136 418
GATEKEEPER PTY LTD	115 873 893
GOLDINLET PTY. LTD.	051 391 363
GRAEMIAN INVESTMENTS PROPRIETARY LIMITED	004 337 259
GRAHAM & SCRIVEN PTY. LTD.	010 164 717
GUANABA FARM PTY LTD	000 792 245
H.I.T.S CORPORATION PTY LIMITED	088 687 601
HALLORAN HOLDINGS (NSW) PTY LIMITED	097 388 497
HAU GIANG PTY LTD	125 831 129
HAWK DISTRIBUTORS (AUST) PTY LTD	107 678 517
HAYSMERE PTY. LTD.	005 592 450
HELJO INVESTMENTS PTY. LTD.	010 108 773
HENLEYWELL AUSTRALIA PTY LTD	119 542 200
HILLSIDE FARMTRADE EXPORTS PTY LTD	102 430 759
H MARTIN & ASSOCIATES PTY LTD	135 369 934
HUTCHENCE JOINERY PTY. LTD.	010 090 534
I J C TRANSPORT (VIC) PTY. LTD.	109 768 461
INDEPENDENT RESEARCH & INFORMATION SERVICE PTY LTD	099 747 305
INTER-COMMUNICATION PTY LTD	125 734 278
INVESTORINFO PTY LTD	088 838 779
INVESTOR SUPERMARKET PTY. LTD.	094 493 786
IRONISE PTY LTD	127 279 869
IT'S HAPPENING PTY. LTD.	098 001 800
J. & M. COWARD PTY LTD	072 551 814
J.R. FERGUSON CONTRACTING PTY. LTD.	057 447 999
J.R. STONE & ASSOCIATES PTY. LTD.	082 957 168
J & C COOK EARTHMOVING PTY LTD	106 149 740
JANDA (AUST.) PTY. LTD.	064 251 645
JATI ENTERPRISES PTY LTD	115 067 251
JECKS CORPORATION PTY LTD	008 943 815
JEVA PTY LTD	091 739 801
JIM O'BRIEN FENCING PTY LIMITED	110 940 237
JOE FLYNN PTY LTD	116 980 735

Name of Company	ACN
JOLD INTERNATIONAL PTY LTD	077 785 132
J S INTERNATIONALS PTY LTD	089 534 305
KALPINE ENTERPRISE PTY. LTD.	008 028 939
KEN LITTING & ASSOCIATES PTY LTD	089 670 128
KIDS TRAVEL HIRE PTY LTD	133 663 260
KPIM PTY LTD	127 024 748
KPM INTERNATIONAL PTY LTD	126 093 347
LAI SUN INVESTMENTS PTY LTD	101 128 189
LA REVE PTY LTD	121 600 824
LITTLEMORE INVESTMENTS PTY. LTD.	091 640 130
LIVERPOOL BUSINESS GROWTH CENTRE	074 375 876
MACEX PTY LIMITED	117 501 434
MAGIC CARPET CLEAN PTY. LTD.	133 350 615
MALTECH.BIZ PTY LTD	110 964 666
MAN-O-WAR SPORTSWEAR PTY. LTD.	009 727 244
MAPLEGROVE PTY. LTD.	011 070 956
MARKHAM PROPERTY HOLDINGS PTY LTD	129 249 403
MELRON PTY. LTD.	005 646 613
MELTON MOTOR SPARES PTY. LTD.	005 687 392
MERTZ NOMINEES PTY LTD	008 885 630
MERV SIMPSON SERVICES PTY LIMITED	121 867 418
METRY'S AUCTION COMPANY PTY LTD	007 347 855
MICHAEL FLYNN MEDICAL PTY LTD	081 031 638
MILLSARI PTY. LTD.	008 074 593
MIND YOUR MANORS PTY. LTD.	067 102 756
MONDO PRODUCTIONS PTY LTD	094 783 025
MY ENGINEER PTY LTD	110 994 575
NEOSID AUSTRALIA PTY. LIMITED	056 468 476
NEOZION PTY LTD	122 113 357
NETSAKE PTY LTD	093 324 522
NETWEST CORPORATION PTY LTD	120 718 952
NGIRI INVESTMENTS PTY LTD	125 669 310
NQ HOSPITALITY MANAGEMENT & CONSULTANCY PTY LTD	135 498 476
NSB DESIGN PTY LTD	135 665 128
NU VUE' GROUP NO. 17 PTY LTD	128 869 152
NU VUE' GROUP NO. 18 PTY LTD	128 869 161
O & J ENTERPRISES PTY LTD	058 461 199
O'ROURKE-HARRIS ENTERPRISES PTY LTD	115 838 232

Name of Company	ACN
OCTAVIAR RAP MANAGEMENT PTY LTD	124 795 713
ORA INSTALLATIONS PTY LTD	074 580 813
OTHED PTY LTD	062 716 009
PACIFICA GROUP PLANS LIMITED	007 301 439
PACIFIC CENTURY POWER PTY LTD	087 506 072
PAMOLITRY PTY LTD	111 681 380
PARAMOUNT MANAGEMENT GROUP PTY. LTD.	131 738 657
PARRAMATTA DISTRICT TOUCH ASSOCIATION LTD	002 744 792
PELEKE PTY. LTD.	050 065 426
PERSIAN MARBLE GRANITE (AUST) PTY LTD	089 683 081
PHOENIX INTERNATIONAL BUSINESS GROUP PTY. LTD.	133 337 489
PORTEENA PTY LTD	071 321 803
PRIME GROUP FUNDING PTY LIMITED	111 112 933
PURELY AUSTRALIAN CLOTHING CO PTY LTD	071 096 734
QUANDONG EARTHMOVING PTY. LTD.	061 017 212
QUANTONG PTY. LTD.	004 406 419
QWS INTERIOR LININGS PTY LTD	099 517 361
R.G. GRAY PTY LTD	075 749 343
R. H. P SERVICES PTY LIMITED	084 198 167
R.T.G. HOLDINGS PROPRIETARY LIMITED	009 519 751
R. TURNEY NOMINEES PTY LTD	124 796 185
R & C YOUNG BOILERMAKING SERVICE PTY LTD	084 493 907
R & M CRANES PTY LTD	101 938 443
RAKIRAKI INVESTMENTS PTY. LTD.	106 264 368
REPRECENT PTY LTD	129 944 001
RESOURCE MANAGEMENT (AUSTRALIA) PTY LTD	079 076 010
RESTORATION INTERNATIONAL LTD	075 812 949
ROBERT MARTIN WHITE NOMINEES PTY LIMITED	125 335 284
ROCKHAMPTON FURNITURE PTY LIMITED	125 648 286
ROSSLAKE PTY. LIMITED	093 042 463
RUSTARO PTY. LIMITED	006 638 624
S.G. JONES NOMINEES PTY LIMITED	103 599 131
S & G IT SERVICES PTY LTD	099 265 602
SAGACIOUS OPPORTUNITIES PTY LIMITED	117 581 290
SALARY MAX PTY LTD	126 769 444
SANCTUARY ENERGY RETIREMENT PTY LIMITED	136 413 173
SAUCI PROPERTIES PROPRIETARY LIMITED	102 238 111
SEA-CLONE PTY LTD	011 039 893

Name of Company	ACN
SHOOBRA DOWNS PTY. LTD.	057 500 786
SHUBHAM PTY LTD	129 119 802
SIENNA MARINA BRASSERIE (AUST) PTY LTD	098 189 372
S I LESEMAN PTY LTD	001 395 802
SILKMODE PTY LTD	071 235 651
SIMPLE SMSF SERVICES PTY LTD	132 363 341
S J GRAY PTY. LTD.	089 208 006
SMARTNET SOLUTIONS PTY. LIMITED	089 193 331
SMARTSOLAR PTY LTD	127 877 221
SP.CORONET GROUP PTY LTD	136 756 388
SPOOFS CLASSIC COLLECTION PTY LIMITED	084 176 661
SUNSHINE PURE ENERGY PTY LTD	110 753 869
SWANN FINANCE PTY LTD	061 793 557
T. & R. MANTON PTY. LIMITED	062 596 249
T & L WEST PTY LTD	001 904 678
TANGELLO PTY LIMITED	096 636 314
TAPWORTH & BOOTH PTY. LTD.	056 186 344
TARAWA INVESTMENTS PTY LTD	066 101 513
TASMANIA SECURITY SERVICE PTY. LTD.	133 870 069
TATURA TRADING (AUSTRALIA) PTY LTD	075 941 061
TEAMWORK INTERNATIONAL FRANCHISING PTY LTD	100 894 559
TEREGLEN PTY LTD	116 253 564
THAT INTERNET PLACE PTY. LTD.	111 161 632
THOMAS HOSE & FITTINGS PTY LTD	101 793 426
THORNTON SWITCHBOARDS PTY. LTD.	006 649 207
TIARO RESOURCES PTY LTD	134 788 766
TOPP MAIL DELIVERY PTY LTD	116 307 530
TST ACCOUNTANCY PTY. LTD.	007 105 240
TULSIDEVI PTY LTD	115 121 054
TWA PROPERTY PTY LTD	111 377 961
TYMCAL PTY LTD	084 549 039
UNISTAR (NSW) PTY LTD	104 855 638
VENMORE NO.29 PTY. LTD.	010 399 854
VIEWBUY PTY LTD	102 523 759
VINCIN BUSINESS CONSULTING PTY. LIMITED	094 375 587
VITESSA PTY LTD	098 172 813
V3 AUSTRALASIA PTY LTD	126 087 045
WAH LUEN ENTERPRISE CO. PTY. LTD.	067 025 254

**Name of Company****ACN**

WAVENEY NOMINEES PROPRIETARY LIMITED	005 441 387
WGB MANAGEMENT PTY LTD	095 866 032
WILD ELECTRONICS PTY LTD	106 464 635
WILDFLOWER IMAGES PTY LTD	111 091 779
WILLIAMS GROUP INVESTMENTS PTY. LTD.	102 363 753
WINDSOR INTERNATIONAL PROPERTIES LIMITED	126 651 330
WOODSTOCK CONSULTING SERVICES PTY. LTD.	053 557 145
WPM PROJECTS PTY LTD	130 649 213
X51 PTY LIMITED	094 378 891
YELTAN TRANSPORT PTY LTD	123 275 838
YOUR PROSPERITY GROUP PTY LTD	111 376 124

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CORPORATIONS ACT 2001  
Section 601CL(5)

Notice is hereby given that the names of the foreign companies mentioned below have been struck off the register.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

BEAR STEARNS ASSET MANAGEMENT INC.

109 303 522

INTERNATIONAL MARKETING SOLUTIONS, LLC

105 228 037

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CORPORATIONS ACT 2001  
Section 601CL(4)

Notice is hereby given that at the end of three months from the date hereof, the names of the foreign companies mentioned below will, unless cause is shown to the contrary, be struck off the register.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

ACTIVE VOICE, LLC	098 504 824
BARTON INTERNATIONAL, INC.	009 475 138
BOAC SERVICES LIMITED	123 290 648
ITECH INVESTMENT HOLDINGS LTD	135 404 554
JOHNSON MATTHEY PUBLIC LIMITED COMPANY	121 283 690

CORPORATIONS ACT 2001  
Subsection 601AB(3) & 601PB(3)

Notice is hereby given that the organisations mentioned below will be deregistered when two months have passed since the publication of this notice.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ACN**

KCM SYSTEMS PTY LTD

120 042 980

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CORPORATIONS ACT 2001  
Subsection 601AB(3)

Notice is hereby given that the companies mentioned below  
will be deregistered when 2 months have passed since the publication  
of this notice.

Dated this twenty-third day of October 2009

Rosanne Bell  
DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ACN
A.C.N. 086 295 909 PTY LTD	086 295 909
A.C.N. 098 568 702 PTY LTD	098 568 702
A.C.N. 119 934 806 PTY LTD	119 934 806
ABBEYVALE INVESTMENTS PTY LTD	089 071 152
ABC HOME LOANS PTY LTD	070 237 679
ABN 73 065 830 408 PTY LTD.	065 830 408
ABSOLUTE FORMWORK CONSTRUCTIONS PTY LTD	121 436 557
ACCOMMODATION PTY LIMITED	093 561 767
ACCOUNTANCY PLUS MACKAY PTY LTD	069 117 077
ACN 000 080 464 PTY LIMITED	000 080 464
ADAPT ROOFING & PLUMBING PTY LTD	067 485 910
AGS GROUP PTY LIMITED	056 282 949
AIR AUTOMOTIVE AUSTRALIA PTY LTD	125 413 578
AKULA PTY LTD	068 091 930
ALLEN & PAMELA PTY LIMITED	120 561 122
AMG GROUP PTY LTD	108 644 275
APPLEWOOD PTY LTD	010 038 785
ARCHICAD DESIGN PTY LTD	125 507 128
ARPT DEVELOPMENTS PTY LIMITED	105 620 326
ATS ALL TIME SECURITY PTY LTD	091 114 242
AUSCORE CONCRETE PTY. LTD.	007 039 376
AVANTE DEVELOPMENTS PTY LTD	097 514 933
AVANTI GROUP INTERNATIONAL PTY LTD	089 221 438
BELLA DIVA PTY LTD	107 456 575
BHL BUILDING SERVICES PTY LIMITED	126 334 969

Name of Company	ACN
BIG STANS CARPET SERVICES PTY LTD	109 670 822
BOWMAN INTERNATIONAL PTY. LTD.	080 076 259
BRINDAR PTY. LTD.	101 721 895
BRISBANE DYNO BIKES PTY LTD	118 510 295
CAFE MONDO (NCLE) PTY LTD	107 062 304
CALIFORNIA DREAM PTY LTD	116 661 799
CLINT FUDGE FLOORSANDING PTY LTD	088 505 588
COAST & REGIONAL EXPRESS SERVICES PTY LTD	097 311 030
CUISINE EASY PTY LIMITED	123 983 433
CUPP PTY. LTD.	114 977 525
D & S SPINKS PTY LTD	000 399 753
DANMAR HOLDINGS PTY LTD	108 221 996
DARE PTY LTD	074 422 174
DAYDREAM CONSTRUCTIONS PTY LIMITED	109 236 900
DIAMONDGILD PTY LIMITED	099 814 525
DIMITRIS PAINTING SERVICES PTY LIMITED	110 521 750
ELEVATIONS LICENCED RESTAURANT PTY LTD	101 648 024
ELLBY TRADING PTY LTD	085 927 957
ENSING ENTERPRISES PTY LTD	105 864 391
ESEM FOOD PTY. LTD.	101 297 509
EXCEPTIONAL FLOORS PTY LTD	092 154 884
FILIP NOMINEES PTY. LTD.	075 573 509
FIRELINK SERVICES PTY LTD	083 793 668
FOG INVESTMENTS PTY LIMITED	121 130 158
FRONT FORCE DEMOLITION & EXCAVATION PTY LTD	126 820 308
GABBA GEARBOXES GOLD COAST PTY LTD	108 348 090
GARDEN MAKERS (QLD) PTY. LTD.	098 191 890
GASHLEY PTY. LTD.	010 570 948
GENX4.COM LIMITED	115 804 405
GLENHAVEN REAL ESTATE PTY LTD	073 414 490
GLOBAL SERVICES (AUST) PTY LIMITED	087 218 157
GRANGEWELL PTY LTD	099 070 194
HIS & HERS TRANSPORT PTY. LTD.	108 046 920
HOMES PICTORIAL PUBLICATIONS PTY LIMITED	106 666 746
HUNTCORP GROUP PTY LIMITED	111 489 591
IMAGE CERAMICS PTY LIMITED	092 559 496
ISLAND HOLDINGS PTY. LIMITED	075 187 923
J & J BRICKLAYING (AUST) PTY LTD	125 388 650

Name of Company	ACN
JAC BROS. PLUMBING PTY LTD	053 340 597
JAG BRICKLAYING SERVICES PTY. LIMITED	075 559 750
JGEES PTY LTD	088 141 306
JOHNNO'S ENTERPRISES PTY LTD	107 420 628
K.E.L. PROPERTY SERVICES PTY LTD	010 111 823
KITCHEN CAFE PTY LTD	104 634 657
L M S CIVIL PTY LTD	126 820 353
LUSHUS PANELS PTY LTD	115 545 812
M.A.M.J. PROPERTY PTY LTD	086 993 955
MAZDAPARTS RECYCLERS PTY. LTD.	006 614 919
MC ENTERPRISES (ACT) PTY LTD	108 742 669
METROPOLIS HOLDINGS PTY. LTD.	065 528 627
MITARLI PTY LTD	003 458 099
MULTI SERVICE GROUP MAINTENANCE AND SERVICES PTY LTD	076 652 474
NAD INVESTMENTS (NQ) PTY LTD	010 190 182
NEW TRADING GROUP PTY LTD	104 999 671
NEXUS ELECTRONICS PTY LTD	098 512 255
NGS SECURITY MANAGEMENT PTY LTD	109 025 998
PERMAK DEVELOPMENTS PTY. LTD.	114 862 681
PITTWATER & CENTRAL COAST BOATING PTY LIMITED	109 157 771
PROFESSIONAL LIFESTYLE SOLUTIONS PTY. LTD.	098 347 641
PRUDENT PROTECTIVE SERVICES PTY. LTD.	082 713 657
PSM HYGIENE SERVICES PTY LTD	109 433 356
QUICK PAGES BUSINESS DIRECTORIES PTY LTD	006 006 711
R & R SECURITY AUSTRALIA PTY. LTD.	081 047 627
R & Y BARLOW PTY. LIMITED	051 827 877
RANGEGALE PTY LTD	103 753 162
RAW FABRICATIONS PTY LTD	103 414 811
R NORTON PTY LTD	127 420 133
RV SUNRAYSIA PTY LTD	071 390 675
S & G TROLLEY SERVICES PTY LTD	113 503 316
SCAFFOLD 2000 PTY LTD	077 561 678
SEA-SLIP MARINAS INTERNATIONAL PTY LTD	110 240 456
SILTEK ASIA PACIFIC PTY. LTD.	088 969 957
SUNDERLAND ENTERPRISES PTY. LTD.	078 039 871
SUPERIOR MOBILE SOLUTIONS (QLD) PTY LTD	107 191 444
TAG INVESTMENT HOLDINGS PTY LTD	073 244 390
THE ROWLISONS GROUP PTY LTD	086 677 054

**Name of Company****ACN**

THE SUNSHINE COAST TELEPHONE COMPANY LIMITED	090 882 447
TIMBERWOLF INDUSTRIES PTY LTD	106 415 338
TONJANE PTY LTD	071 507 296
TUNNEL MINING AUSTRALIA PTY LTD	098 395 067
TYRRELLS BUILDING CONSULTANCY PTY LIMITED	002 463 498
UNIVERSAL NEWSAGENCY PTY LTD	123 743 340
VR SERVICES PTY LTD	121 511 224
WATER VISION (AUSTRALIA) PTY LTD	118 947 505
WIRELESS BROADBAND SERVICES PTY LTD	107 134 065
YAZ TRANSPORT PTY LTD	126 708 834

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Corporations Act 2001  
Subsection 164(3)

Notice is hereby given that ASIC will alter the registration details of the following companies 1 month after the publication of this notice, unless an order by a court or Administrative Appeals Tribunal prevents it from doing so.

**A-MARK IND. PTY.** ACN 088 300 010 will change to a proprietary company limited by shares. The new name will be A-MARK IND. PTY LTD ACN 088 300 010.

**ARANA THERAPEUTICS LIMITED** ACN 002 951 877 will change to a proprietary company limited by shares. The new name will be ARANA THERAPEUTICS PTY LTD ACN 002 951 877.

**CLUB PREMISES LIMITED** ACN 004 124 369 will change to a proprietary company limited by shares. The new name will be CLUB PREMISES PTY. LTD. ACN 004 124 369.

**METEORE METALS LIMITED** ACN 097 759 325 will change to a proprietary company limited by shares. The new name will be METEORE METALS PTY LTD ACN 097 759 325.

**SCIENCE ROCKS LTD** ACN 131 149 409 will change to a proprietary company limited by shares. The new name will be SCIENCE ROCKS PTY LTD ACN 131 149 409.

**ACCO MANUFACTURING LIMITED** ACN 004 689 605 will change to a proprietary company limited by shares. The new name will be ACCO MANUFACTURING PTY LIMITED ACN 004 689 605.

**CENTRAL AIRLINES PTY LTD** ACN 051 391 747 will change to a public company limited by shares. The new name will be CENTRAL AIRLINES LTD ACN 051 391 747.

**CSR SUGAR PTY LTD** ACN 098 999 985 will change to a public company limited by shares. The new name will be CSR SUGAR LIMITED ACN 098 999 985.

**NOBLE ENERGY LIMITED** ACN 115 057 586 will change to a proprietary company limited by shares. The new name will be NOBLE ENERGY PTY LTD ACN 115 057 586.