



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

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# ASIC Gazette

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### RIGHTS OF REVIEW

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

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**ASIC**

Australian Securities & Investments Commission

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## **ASIC Corporations and Credit (Amendment and Repeal) Instrument 2016/1182**

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I, Stephen Yen PSM, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date: 12 December 2016

*Stephen Yen*

Stephen Yen

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## **Part 1—Preliminary**

### **1 Name of legislative instrument**

This is the *ASIC Corporations and Credit (Amendment and Repeal) Instrument 2016/1182*.

### **2 Commencement**

This instrument commences on the later of:

- (a) the date of its gazettal; and
- (b) the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### **3 Authority**

This instrument is made under subsections 283GA(1), 341(1), 601QA(1), 601YAA(1), 741(1), 926A(2), 951B(1), 992B(1) and 1020F(1) and paragraph 911A(2)(l) of the *Corporations Act 2001* and subsection 109(3) of the *National Consumer Credit Protection Act 2009*.

### **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

### **5 Repeal of amending and repealing instruments**

- (1) The repeal of an instrument by section 4 does not affect any amendment to or repeal of another instrument (however described) made by the instrument.
- (2) Subsection (1) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by section 4 of this instrument.

### **6 Definitions**

In this instrument:

*Act* means the *Corporations Act 2001*.

## Schedule 1—Amendments

### ASIC Class Order [CO 02/237]

- 1 Subparagraph 1(e) (under the heading “First Exemption — Rental pools operated by operators of time-sharing schemes that are exempt from the managed investment provisions”)**

Omit “or an affected auditor (as defined in ASIC Class Order [CO 14/757])”.

- 2 Subparagraph (b) (under the heading “Second Exemption — Disclosure relief for rental pools forming part of registered time-sharing schemes”)**

Omit “or an affected auditor (as defined in ASIC Class Order [CO 14/757])”.

### ASIC Class Order [CO 09/425]

- 3 Paragraph 7A.**

Repeal the paragraph.

### ASIC Class Order [CO 10/654]

- 4 Paragraph 7.**

Repeal the paragraph.

### ASIC Class Order [CO 12/752]

- 5 Paragraph 4 (notional subsection 912AB(11) of the Act)**

Omit “or an affected auditor (as defined in ASIC Class Order [CO 14/757])”.

### ASIC Class Order [CO 13/760]

- 6 Paragraph 4 (notional subsection 912AA(12) of the Act)**

Omit the notional subsection.

### ASIC Class Order [CO 13/761]

- 7 Paragraph 4 (notional subsection 912AC(10) of the Act)**

Omit “or an affected auditor (as defined in ASIC Class Order [CO 14/757])”.

**ASIC Class Order [CO 13/762]****8 Subparagraph 6(c) (notional paragraph 1013DAB(20)(aa) of the Act)**

Omit the notional paragraph.

**ASIC Class Order [CO 13/763]****9 Paragraph 6 (notional subsection 912AD(45) of the Act)**

Omit the notional subsection.

**ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73****10 Paragraph 5(a) (definition of *technical relief instrument*, table item 17)**

Repeal the item.

**ASIC Corporations (Disclosing Entities) Instrument 2016/190****11 Subsection 5(3)**

Repeal the subsection.

## **Schedule 2—Repeals**

### **ASIC Class Order [CO 14/757]**

**1 The whole of the instrument**

Repeal the instrument.

16-1185

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 283GA(1)(a), 741(1)(a) and 926A(2)(a)**

**Enabling power**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 283GA(1)(a), 741(1)(a) and 926A(2)(a) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument [16-1185].

**Commencement**

3. This instrument commences on the date it is signed.

**Cessation**

4. This instrument ceases to apply on 30 June 2017.

**Exemptions***ASIC Class Order [CO 02/184]*

5. The Lutheran Laypeople's League of Australia Incorporated (*LLL*) does not have to comply with the provisions of the Act relating to debentures that a charitable body did not have to comply with under ASIC Class Order [CO 02/184] (the *old class order*) as in force immediately before its repeal.
6. The exemptions in paragraph 5 apply to LLL on the same terms as the exemptions that applied to a charitable body under the old class order, subject to the following:

- (a) the condition referred to in paragraph 4 of the old class order does not apply to LLL in relation to debentures if LLL has had an identification statement accepted for the purposes of *ASIC Corporations (Charitable Investment Fundraising) Instrument 2016/813 (new legislative instrument)* in relation to the debentures; and

Note: If LLL has had accepted for the purposes of the new legislative instrument an identification statement under the new legislative instrument, it will be required to comply with subsections 7(1) to (4) of the new legislative instrument in relation to the identification statement: see paragraph 9.

- (b) the exemptions specified in the First Exemption (within the meaning of the old class order) apply as if the First Exemption were amended by:



16-1185

- (i) omitting “for so long as the following conditions are met” and substituting “subject to the following conditions”; and
- (ii) omitting “where the conditions referred to above are met” and substituting “subject to the conditions referred to above”; and

Note: The effect of this is that an exemption will not cease to apply merely because a related condition (including a condition referred to in subparagraph (c)) is not or has not previously been satisfied.

- (c) in addition to the conditions specified in the old class order, the exemptions set out in the First Exemption (within the meaning of the old class order) are also subject to the condition in paragraph 9; and
- (d) each exemption (including any related conditions) in the old class order from the requirement to hold an Australian financial services licence that is expressed to be made under paragraph 911A(2)(l) of the Act has effect under section 926A of the Act instead; and

Note: *ASIC Corporations (Effect of Licensing Exemptions) Instrument 2015/1115* provides relief from subsection 911B(1) of the Act to a person who provides financial services on behalf of a person who does not need an Australian financial services licence because of an exemption under section 926A of the Act.

- (e) the condition in paragraph 5 of the old class order does not apply.

*Where exemptions apply*

7. Until 28 February 2017, the exemptions specified in paragraph 5 apply to LLL in relation to debentures if:
  - (a) ASIC has registered an identification statement under the old class order that applied to LLL in relation to the debentures and not revoked that registration; or
  - (b) LLL has had accepted an identification statement for the purposes of the new legislative instrument that relates to the debentures with:
    - (i) ASIC, and ASIC has not notified LLL in writing that ASIC has revoked the acceptance; or
    - (ii) a sponsor, and the sponsor has not notified LLL in writing that the sponsor has revoked the acceptance.
8. Between 1 March 2017 and 30 June 2017, the exemptions specified in paragraph 5 apply to LLL in relation to debentures if the requirements referred to in subparagraph 7(b) are met in relation to the debentures.

16-1185

*Condition*

9. LLL must comply with subsections 7(1) to (4) of the new legislative instrument in relation to any identification statement accepted by ASIC or a sponsor for the purposes of the new legislative instrument.

Dated this 15 day of December 2016

Signed by Gregory Kirk



as a delegate of the Australian Securities and Investments Commission



16-1208

**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:** Calibre Capital Limited ("the AFS Licensee")  
ACN 108 318 985  
Level 24  
333 Collins Street  
MELBOURNE VIC 3000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels AFS Licence Number 275609 held by the AFS Licensee with effect from the date on which this notice is given to the AFS Licensee.

Dated this 20 December 2016.

Signed .....

A handwritten signature in black ink, appearing to read "James Nott". The signature is written over a dotted line.

James Nott, a delegate of the Australian Securities and Investments Commission



16-1213

**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:** Financial Technology Securities Pty Ltd  
ACN 097 317 069 ("the Licensee")  
Level 4, Toowong Tower  
9 Sherwood Road,  
Toowong QLD 4066.

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 300219 held by the Licensee with effect from the date on which this Notice is given to the Licensee.

Dated this 12<sup>th</sup> December 2016.

Signed .....

A handwritten signature in cursive script, appearing to read "James Nott", written over a dotted line.

James Nott, a delegate of the Australian Securities and Investments Commission



16-1214

**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:** Capricorn Investment Partners Pty Ltd  
ACN 095 998 771 ("the Licensee")  
Suite 1B  
103 Boisover Street  
Rockhampton QLD 4700.

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 237435 held by the Licensee with effect from the date on which this Notice is given to the Licensee.

Dated this 12<sup>th</sup> December 2016.

Signed

A handwritten signature in black ink, appearing to read "James Nott", written over a dotted line.

James Nott, a delegate of the Australian Securities and Investments Commission

16-1215

**NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001**

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 8 December 2016.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**  
**IN THE MATTER OF ANDREW GRAEME RAMESH TAMBYRAJAH**

**BANNING ORDER UNDER SECTIONS 920A AND 920B**  
**OF THE CORPORATIONS ACT 2001**

To: Andrew Graeme Ramesh TambyRajah

**TAKE NOTICE** that under sections 920A(1) and s920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits **Andrew Graeme Ramesh TambyRajah** from providing any financial services for a period of five years.

Dated this 7th day of December 2016

Signed:   
7 December 2016  
Delegate of the Australian Securities &  
Investments Commission

Your attention is drawn to subsection 920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of subsection 920C(2) is an offence.



16 - 1221

**Minister for Revenue and Financial Services**

The Hon Kelly O'Dwyer MP

Mr Steve Davis  
Chief Executive Officer  
Australian Unity Personal Financial Services  
114 Albert Road  
South Melbourne VIC 3205

13 OCT 2016

Dear Mr ~~Davis~~ *Steve*

I have received and reviewed the applications from Australian Unity Trustees Limited (ACN 162 061 556) listed below:

1. The application pursuant to s601RAB(2A) of the *Corporations Act 2001* (the Act) to be a trustee company under Chapter 5D of the Act; and
2. The application pursuant to s601VBB of the Act for Australian Unity Advice Pty Ltd (ACN 131 346 060) and Australian Unity Limited (ACN 087 648 888) to have a 100 per cent voting power in Australian Unity Trustees Limited.

I am pleased to confirm I have approved both of these applications. The approval in relation to the 100 per cent voting power remains in force indefinitely.

I will arrange for the Australian Securities and Investments Commission to publish this notice in the ASIC Gazette as required by the Act. Simultaneously, I have instructed the Department of the Treasury to proceed with amending the Corporations Regulations 2001 to list Australian Unity Trustees Limited as a trustee company on Schedule 8AA of the those Regulations.

I wish Australian Unity well in its future business endeavours.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kelly O'Dwyer', written over a horizontal line.

Kelly O'Dwyer

16-1226

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 16-1226.

**Commencement**

3. This instrument commences on 13 December 2016.

**Declaration**

4. Chapter 6D of the Act applies to an offer for sale of ordinary shares in Atrum Coal NL ACN 153 876 861 (*Company*) as if paragraph 708A(5)(b) of the Act were modified by deleting the words "5 days" and substituting the words "6 days".

**Where this instrument applies**

5. The modification in paragraph 4 of this instrument applies to an offer for sale of ordinary shares in the Company where:
  - (a) the ordinary shares were issued between the date of this instrument and 31 December 2016:
    - i. to sophisticated and professional investors under an offer which did not require disclosure under Part 6D.2 of the Act because of subsection 708(8) or subsection 708(11) of the Act; or
    - ii. under an offer made through a financial services licensee which did not require disclosure under Part 6D.2 of the Act because of subsection 708(10) of the Act; and
  - (b) the Company has given ASX Limited ACN 008 624 691 a notice under paragraph 708A(5)(e) of the Act which complies with subsection 708A(6) of the Act.



16-1226

Dated this 13<sup>th</sup> day of December 2016



Signed by Stella Lee  
as a delegate for the Australian Securities and Investments Commission

16 - 1231

**NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001**

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 4 November 2016.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****IN THE MATTER OF KEIRA JANE ELIZABETH KEEGAN****BANNING ORDER UNDER SECTIONS 920A AND 920B  
OF THE CORPORATIONS ACT 2001**

To: Keira Jane Elizabeth Keegan

**TAKE NOTICE** that under sections 920A(1) and s920B(2) of the Corporations Act 2001 the Australian Securities & Investments Commission prohibits **Keira Jane Elizabeth Keegan** from providing any financial services for a period of three years.

Dated this 1st day of November 2016

Signed:   
1 November 2016  
Delegate of the Australian Securities &  
Investments Commission

Your attention is drawn to subsection 920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of subsection 920C(2) is an offence.

16-1233

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

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 655A(1)(a) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 16-1233.

**Commencement**

3. This instrument commences on 15 December 2016.

**Exemption**

4. Under paragraph 655A(1)(a) of the Act ASIC exempts Karma Media and its Controllers from section 606 of the Act.

**Where this instrument applies**

5. This instrument applies where:
  - (a) the Deed Administrators:
    - (i) made electronically available the Independent Experts' Report; and
    - (ii) notified all shareholders of Quickflix that they could obtain a copy of the Independent Experts' Report from the Deed Administrators,  
  
by way of announcement on the Australian Securities Exchange Market Announcement Platform on 18 November 2016; and
  - (b) Karma Media and its Controllers acquire a relevant interest in the Shares as a result of the transfer of the Shares to Karma Media on implementation of the Court Order and pursuant to the Quickflix DOCA.

**Interpretation**

6. In this instrument:
-

## 16-1233

**Controllers** mean entities or persons who by operation of section 608 of the Act acquire a relevant interest in the Shares when Karma Media acquires a relevant interest in such Shares.

**Court Order** means the order of the Supreme Court of Western Australia dated 13 December 2016 under section 444GA of the Act, permitting the Deed Administrators to transfer the Shares.

**Deed Administrators** means Jason Tracy and Richard Hughes in their capacity as joint and several deed administrators of Quickflix pursuant to the Quickflix DOCA.

**Independent Experts' Report** means the Independent Experts' Report prepared by Sherif Andrawes and Adam Myers of BDO Corporate Finance (WA) Pty Ltd dated 18 November 2016.

**Karma Media** means Karma Media Holdings LLC.

**Quickflix** means Quickflix Limited (subject to a deed of company arrangement) ACN 102 459 352.

**Quickflix DOCA** means the deed of company arrangement between Quickflix, Karma Media and the Deed Administrators dated 6 October 2016.

**Shares** means all the issued ordinary shares and all the issued redeemable convertible preference shares in Quickflix.

Dated this 15<sup>th</sup> day of December 2016



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

16-1235

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

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 655A(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 16-1235.

**Commencement**

3. This instrument commences on 16 December 2016.

**Declarations**

4. Chapter 6 of the Act applies to the Bidder as if Parts 6.6 and 6.9 of the Act were modified or varied as follows:

- (a) after section 650E, insert:

**“650EA Right to withdraw acceptance initiated by bidder**

- (1) A person who accepts an offer made under an off-market bid may withdraw their acceptance of the offer for a specified period (*withdrawal period*) if:
  - (a) ASIC has made a declaration under subsection 655A(1) permitting the bidder to allow persons who have accepted offers under the bid to withdraw their acceptance during the withdrawal period; and
  - (b) the bidder has lodged a supplementary bidder’s statement outlining terms on which persons have a right to withdraw in accordance with the declaration in paragraph (a); and
  - (c) the bidder has given a copy of the supplementary bidder’s statement to each person specified in paragraph 650D(1)(c).
- (2) To withdraw their acceptance, the person must:
  - (a) give the bidder notice of the exercise of their right to withdraw before the end of the withdrawal period; and
  - (b) return any consideration received by the person for accepting the offer by:
    - (i) giving the bidder any transfer documents needed to effect the return of the securities; and
    - (ii) taking any action that the operating rules of a prescribed CS facility require in relation to the return of the securities.

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- (3) A notice under paragraph (2)(a) may be given in any way that a notice under paragraph 650E(2)(a) may be given and must, if given in relation to any securities entered on a register or subregister of a prescribed CS facility, be in a form approved by the operating rules of that prescribed CS facility for Part 6.6 of the Act (which may include an electronic form).
- (4) If the person withdraws their acceptance, the bidder must take all reasonable steps necessary to promptly give effect to the withdrawal, including:
- (a) in relation to any of the securities to which the acceptance relates that are entered on a register or subregister of a prescribed CS facility—taking any action that the operating rules of the prescribed CS facility require in order to give effect to the withdrawal; and
  - (b) returning any documents that the person sent the bidder with the acceptance of the offer.”; and
- (b) after subsection 654A(2), insert:
- “(3) Subsection (1) does not apply to a disposal of securities resulting from a person exercising a right to withdraw their acceptance in accordance with section 650EA.”.

**Where this instrument applies**

5. This instrument applies in relation to the Takeover Offer, where:
- (a) the Bidder has lodged a supplementary bidder’s statement with ASIC on the date of this instrument which notifies Target shareholders of the Withdrawal Rights (*Supplementary Bidder’s Statement*) and is in the same form as that provided to ASIC on 15 December 2016; and
  - (b) the Bidder sends copies of the Supplementary Bidder’s Statement to each person specified in paragraph 650D(1)(c) of the Act (as modified by ASIC Class Order [CO 13/521]) no later than 16 December 2016.

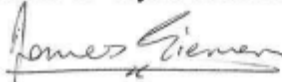
**Interpretation**

6. In this instrument:
- (a) *Bidder* means Activistic Limited ACN 007 701 715.
  - (b) *Bid Securities* means any fully paid ordinary shares in the issued capital of the Target.
  - (c) *Bidder’s Statement* means the bidder’s statement lodged by the Bidder with ASIC on 17 November 2016.
  - (d) *Takeover Offer* means the Bidder’s off-market takeover offer for the bid securities contained in the Bidder’s Statement.

16-1235

- (e) **Target** means Plus Connect Limited ACN 164 388 783.
- (f) **Withdrawal Rights** means a right that target shareholders may withdraw acceptances of the Takeover Offer by notice to the Bidder at any time until 5:00pm AWST on 6 January 2017.

Dated this 16<sup>th</sup> day of December 2016



Signed by James Siemon  
as a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001

Section 601CL(4)

ASIC will strike the foreign companies listed below off the register three months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this sixteenth day of December 2016

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

AVALON SECURITIES (QLD) LIMITED	120 283 838
GE CAPITAL AGC HOLDINGS II LLC	155 446 334
GE CAPITAL AGC HOLDINGS I LLC	155 960 302
HERZOG TRANSIT SERVICES, INC.	099 669 628
PLAZA HOME IMPORTS (SINGAPORE) PTE. LTD.	145 625 529
SINGAPORE TELECOMMUNICATIONS LIMITED	096 701 567
SOLIDFIRE INTERNATIONAL ASIA PTE. LTD.	169 311 666



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.

**AMP LENDING SERVICES LIMITED**

ACN 113 408 941 will change to a proprietary company limited by shares. The new name will be AMP LENDING SERVICES PTY LIMITED  
ACN 113 408 941.

**FORTNUM PRIVATE WEALTH PTY LTD**

ACN 139 889 535 will change to a public company limited by shares. The new name will be FORTNUM PRIVATE WEALTH LTD  
ACN 139 889 535.

**WELLINGTON PROPERTY MANAGEMENT**

**LIMITED** ACN 100 029 776 will change to a proprietary company limited by shares. The new name will be WELLINGTON PROPERTY MANAGEMENT PTY LTD ACN 100 029 776.

**ATRUM COAL NL** ACN 153 876 861 will change

to a public company limited by shares. The new name will be ATRUM COAL LIMITED  
ACN 153 876 861.

**GRYPHON MINERALS LIMITED**

ACN 107 690 657 will change to a proprietary company limited by shares. The new name will be TERANGA GOLD (AUSTRALIA) PTY LTD  
ACN 107 690 657.

**WINE EXPORT INITIATIVE LIMITED**

ACN 146 517 071 will change to a proprietary company limited by shares. The new name will be WINE EXPORT INITIATIVE PTY LTD  
ACN 146 517 071.