



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID238/2017

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

WEALTH & RISK MANAGEMENT PTY LTD (ACN 161 722 514) and others named in
the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 08 May 2017

WHERE MADE: Melbourne

PENAL NOTICE

TO: THE DEFENDANTS

IF YOU:

- (A) REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR
- (B) DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.


THE COURT ORDERS THAT:

1. Pursuant to ss 1101B(5) and 1324(4) of the *Corporations Act 2001* (Cth) (the **Act**), each of the defendants by themselves, their servants, agents or employees, until the hearing and determination of this proceeding or further order:
 - a. be restrained from making any offers of cash payments (including cash rebates) to prospective retail clients in connection with:



- i. the provision of a Statement of Advice;
 - ii. the switching of superannuation; and/or
 - iii. the purchase of insurance products;
 - b. be restrained from entering into, or offering to enter into, any Cash Rebate Agreements, Emergency Debt Relief Agreements or other like arrangements with prospective retail clients in connection with:
 - i. the provision of a Statement of Advice;
 - ii. the switching of superannuation; and/or
 - iii. the purchase of insurance products;
 - c. suspend all promotion, advertising or offering of cash payments to retail clients on all internet websites within their power or control, in particular but not limited to the websites conducted with the domain names <http://www.yesfs.com.au> and <http://www.oxygenfs.com.au>; and
 - d. be restrained from advertising, promoting or marketing any business or service that involves the offer of cash payments to retail clients in connection with financial products and/or financial services.
2. Pursuant to ss 1101B(5) and 1324(4) of the Act, the second defendant by itself, its servants, agents or employees be restrained, until the hearing and determination of this proceeding or further order, from carrying on a business in relation to financial products or financial services including by providing financial product advice in respect of superannuation and insurance products (by recommending changes to or purchase of those products, stating an opinion in respect of those products, or reporting either of those things).
3. There be liberty to apply.
4. Costs be reserved.

Date that entry is stamped: 8 May 2017


Registrar



Schedule

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Second Defendant JECA HOLDINGS PTY LTD (ACN 609 298 820)

Third Defendant YES FP PTY LTD (ACN 607 165 159)