



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 or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: LIFE ASSETS PTY. LTD.
ACN 010 710 228 ("the Licensee")
752 Sandgate Road
CLAYFIELD QLD 4011

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 381102 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

30 June 2017

Signed

John Connor





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: 4C Wealth Pty Ltd

ACN 146 500 316 ("the Licensee")

PO Box 627

MOUNT LAWLEY WA 6929

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 402913 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

27 June 2017

Signed

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: BMH Corporate Solutions Pty Ltd ACN 152 663 799 ("the Licensee") PO Box 450 KEW EAST VIC 3102

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 411483 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

27 June 201.

Signed

James Nott

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

#### **Enabling legislation**

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

#### Title

This instrument is ASIC Instrument 17-0575.

#### Commencement

This instrument commences on the date it is signed.

#### Declaration

- Chapter 6D of the Act applies to Kingsrose Mining Limited ACN 112 389 910 (administrators appointed) (Kingsrose) as if:
  - (a) paragraph (b)(ii) of the definition of "continuously quoted securities" in section 9 was modified or varied by, after "paragraph 741(1)(b)", inserting the text "(other than ASIC Instrument 17-0575)"; and
  - (b) paragraph (b)(iii) of the definition of "continuously quoted securities" in section 9 was modified or varied by inserting after the number "341", the text "(other than an order under section 341 which relieves the entity, or any person as director or auditor of the entity from the requirements of subsection 320(1))."

#### Where this instrument applies

- 5. This instrument applies
  - (a) in relation to an offer by Kingsrose to issue ordinary shares where the terms of the issue are substantially the same as the terms provided to ASIC on 7 June 2017 and the offer is made pursuant to a prospectus lodged with ASIC on or about 31 July 2017, and
  - (b) within two business days of the commencement of this instrument, Kingsrose makes this instrument available on a website in a way that is readily accessible by the public from a website, and
  - (c) within two business days of the commencement of this instrument, Kingsrose provides written notice for release on the ASX Market Announcements Platform which includes a statement describing the need

for, and effect of, the relief provided by this instrument as it applies to Kingsrose.

Dated this 28th day of June 2017

Signed by Timfai Loh





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

FO: Assist Finance Corporation Pty Ltd ACN 007 604 631 ("the Licensee") PO Box 6277 HALIFAX STREET SA 5000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 292946 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Blue Sky Insurance Pty Ltd ACN 055 489 088 ("the Licensee") Level 1 271-273 Wellington Road MULGRAVE VIC 3170

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 229795 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Star Super Advice Pty Ltd ACN 168 109 984 ("the Licensee") PO Box 203 DAPTO NSW 2530

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 453905 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Lawsons Underwriting Australasia Limited ACN 125 318 247 ("the Licensee") PO Box 1813 NORTH SYDNEY NSW 2059

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 329017 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

27 June 2017

Signed

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Sura Hospitality Pty Ltd ACN 060 176 543 ("the Licensee") PO Box 1813 NORTH SYDNEY NSW 2059

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 255319 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 27 June 2017

Signed ......

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Hamilton Brokers Pty. Limited ACN 008 556 116 ("the Licensee") PO Box 1215 FYSHWICK ACT 2609

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 230175 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

27 June 2017

Signed

James Nott





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Simon Lee Dawkins
ABN 41 966 493 856 ("the Licensee")
28 Goldsmith Road
CLAREMONT WA 6010

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 430146 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

27 June 2017

Signed

James Nott



### CORPORATIONS ACT SECTION 657A DECLARATION OF UNACCEPTABLE CIRCUMSTANCES

#### MOLOPO ENERGY LIMITED 01 AND 02

#### CIRCUMSTANCES

- Keybridge Capital Limited (Keybridge) currently has a relevant interest in 19.95% of Molopo Energy Limited (Molopo). Australian Style Group Pty Ltd (ASG) holds 21.16% of Keybridge. ASG is wholly owned by a company whose shareholders are Mr Nicholas Bolton (1%) and Ms Georgia Bolton, Mr Bolton's sister (99%).
- Aurora Funds Management Limited (Aurora)<sup>1</sup> currently has a relevant interest in 17.89% of Molopo.
- On or about 30 June 2016, Seventh Orion Pty Ltd (Seventh Orion)<sup>2</sup> acquired Aurora from Keybridge. At the time, Aurora had a relevant interest in approximately 1.88% of Molopo.
- The shares in Aurora are held on trust for Aurora Investment Unit Trust, whose unit holders include:
  - (a) Mr John Patton (26.1%) and
  - (b) Mr Bolton (49.9%).
- Mr Bolton was managing director of Keybridge until December 2015 when he resigned after he was disqualified from managing a corporation.
- Mr Bolton is a consultant to Keybridge, providing Keybridge with advice and assistance in relation to its investments, including in Molopo.
- Mr Bolton also provides Aurora with advice and assistance in relation to its investments, including describing himself as a consultant to introduce Aurora to existing Molopo shareholders who might consider selling their Molopo shares.
- 8. Based on its commercial experience, from the material before it, the Panel considers that:
  - Mr Bolton effectively controls or has substantial influence over the relevant affairs of ASG
  - (b) Mr Bolton, either alone or together with Mr Patton, effectively controls or has substantial influence over the relevant affairs of Aurora and

as responsible entity for Aurora Global Income Trust and Aurora Fortitude Absolute Return Fund

<sup>&</sup>lt;sup>2</sup> as trustee for Aurora Investment Unit Trust

- (c) Mr Bolton plays a significant role in the relevant affairs of Keybridge.
- On or about 30 June 2016, Mr Patton was appointed as managing director of Aurora.
- On 10 August 2016, Mr Patton was appointed as a non-executive director of Keybridge, nominated by ASG.
- 11. On 20 September 2016, Keybridge filed a substantial holder notice stating that it had acquired 1,682,763 Molopo shares and had voting power of 19.15% in Molopo. Mr Patton was initially tasked with managing the acquisition of those shares on behalf of Keybridge. Ultimately, another Keybridge director instructed Keybridge's broker to acquire the relevant Molopo shares.
- From 7 October 2016 to 31 October 2016, Aurora acquired shares in Molopo, with its total interest increasing to approximately 3.5% of Molopo's issued capital.<sup>3</sup> Mr Patton was consulted, or at the very least informed, in relation to these acquisitions.
- 13. On 13 October 2016, Mr Patton was appointed executive Chairman of Keybridge.
- On 26 October 2016, Keybridge held a strategy meeting where its strategy in relation to Molopo was discussed. Mr Patton and Mr Bolton were both present at that meeting.
- 15. Mr Patton is conflicted in his role at Keybridge in relation to the acquisition or use of Molopo shares given his role at Aurora. Information barriers were established in Keybridge to address such conflicts, but, in the Panel's view, were established late and have not been fully effective.
- 16. In early November 2016, at Mr Patton's request, an Aurora investment paper was prepared proposing that Aurora purchase up to 19.9% in Molopo. From 1 November 2016 to 17 March 2017, Aurora acquired shares in Molopo, resulting in its then relevant interest in 17.89% of Molopo's issued capital. The Panel considers that Mr Bolton and Mr Patton have influenced Aurora's acquisition of a substantial interest in Molopo.
- On 13 March 2017, Keybridge requisitioned a meeting of Molopo shareholders under s249D4 to consider:
  - (a) resolutions for the removal of all the directors of Molopo and
  - (b) the appointment of three new directors nominated by Keybridge.
- 18. On 22 March 2017, Mr Patton on behalf of Aurora wrote to the Chair of Molopo seeking that one or more of Aurora's nominees be put to shareholders for election to the Molopo board. Aurora ultimately nominated one director, Mr Ben Norman, to be put to shareholders for election to the Molopo board.
- The Panel considers that Aurora and Keybridge are pursuing consistent strategies in relation to Molopo.

<sup>&</sup>lt;sup>3</sup> Aurora had previously acquired 418,385 Molopo shares on or about 20 July 2016 as a result of the unwinding of an equity derivative

<sup>&</sup>lt;sup>6</sup> unless otherwise indicated, all statutory references are to the Corporations Act 2001 (Cth), and all terms used in Chapter 6 or 6C have the meaning given in the relevant Chapter (as modified by ASIC)

#### The Panel considers that as Mr Bolton:

17-0605

- is the largest unitholder in the Aurora Investment Unit Trust and effectively controls or has substantial influence over the relevant affairs of Aurora
- (b) effectively controls or has substantial influence over the relevant affairs of Keybridge's largest shareholder, ASG
- (c) has significant knowledge of the investment strategies of each of Keybridge and Aurora in relation to Molopo and
- (d) has the capacity to influence significantly the investment strategies of each of Keybridge and Aurora in relation to Molopo,

the involvement of Mr Bolton, alternatively the involvement of Mr Bolton together with Mr Patton, in Keybridge and Aurora gives rise to unacceptable circumstances in relation to the affairs of Molopo.

#### EFFECT

- 21. It appears to the Panel that:
  - the acquisition of control over voting shares in Molopo has not taken place in an efficient, competitive and informed market and
  - (b) the holders of shares in Molopo do not know the identity of persons who have acquired a substantial interest in Molopo.

#### CONCLUSION

- 22. It appears to the Panel that the circumstances are unacceptable circumstances
  - having regard to the effect that the Panel is satisfied they are having, will have or are likely to have on the control, or potential control, of Molopo and
  - (b) in the alternative, having regard to the purposes of Chapter 6 set out in section 602.
- The Panel considers that it is not against the public interest to make a declaration of unacceptable circumstances. It has had regard to the matters in section 657A(3).

#### DECLARATION

The Panel declares that the circumstances constitute unacceptable circumstances in relation to the affairs of Molopo.

Bruce Dyer

Counsel

with authority of John Sheahan QC President of the sitting Panel

Dated 30 May 2017



#### Australian Government

Takeovers Panel

17-0606

#### CORPORATIONS ACT SECTION 657D ORDERS

#### MOLOPO ENERGY LIMITED 01 & 02

The Panel made a declaration of unacceptable circumstances on 30 May 2017.

#### DIVESTMENT ORDERS

- The Sale Shares are vested in the Commonwealth on trust for Keybridge and Aurora respectively.
- ASIC must:
  - (a) sell the Sale Shares in accordance with these orders and
  - account to Keybridge and Aurora respectively for the proceeds of sale, net of the costs, fees and expenses of the sale and any costs, fees and expenses incurred by ASIC and the Commonwealth (if any).
- ASIC must:
  - (a) retain an Appointed Seller to conduct the sale and
  - (b) instruct the Appointed Seller:
    - (i) to use the most appropriate sale method to secure the best available sale price for the Sale Shares that is reasonably available at that time in the context of complying with these orders, including the stipulated timeframe for the sale and the requirement that none of the Relevant Parties or their respective associates may acquire, directly or indirectly, any of the Sale Shares
    - (ii) to provide to ASIC a statutory declaration that, having made proper inquiries, the Appointed Seller is not aware of any interest, past, present, or prospective which could conflict with the proper performance of the Appointed Seller's functions in relation to the disposal of the Sale Shares
    - (iii) unless the Appointed Seller sells Sale Shares on market, that it obtain from any prospective purchaser of Sale Shares a statutory declaration that the prospective purchaser is not associated with any of the Relevant Parties
    - (iv) to dispose of all of the Sale Shares within 6 months from the date of its engagement.

- The Company and the Relevant Parties must do all things necessary to give effect to these orders, including:
  - doing whatever is necessary to ensure that the Commonwealth is registered with title to the Sale Shares in the form approved by ASIC and
  - until the Commonwealth is registered, complying with any request by ASIC in relation to the Sale Shares.
- None of the Relevant Parties or their respective associates may, directly or indirectly, acquire any of the Sale Shares.
- 6. The Relevant Parties must not otherwise dispose of, transfer or charge any Sale Shares.
- None of the Relevant Parties may take into account any relevant interest or voting
  power that any of them or their respective associates had, or have had, in the Sale
  Shares when calculating the voting power referred to in Item 9(b) of s611 of the
  Corporations Act 2001 (Cth), of a person six months before an acquisition exempted
  under Item 9 of s611.
- Nothing in these orders obliges ASIC to invest, or ensure interest accrues on, any money held in trust under these orders.

#### AGM VOTING ORDERS

- At the Company's annual general meeting:
  - Keybridge must vote no more than 46,017,543 ordinary shares<sup>1</sup> in the issued capital of Company on any resolution and
  - (b) Aurora must vote no more than 5,088,921 ordinary shares<sup>2</sup> in the issued capital of Company on any resolution.
- If, notwithstanding order 9, any voting rights greater than the number of shares specified in order 9 are exercised by Keybridge or Aurora, the Company must disregard those votes.

#### Period for which orders have effect

- 11. Orders 1 to 5 and 8 are stayed until further order by the Takeovers Panel.
- All other orders come into effect immediately.

<sup>&</sup>lt;sup>1</sup> This number of shares represents Keybridge's current holding of ordinary shares in the Company, less the number of Sale Shares ascribed to Keybridge.

<sup>&</sup>lt;sup>2</sup> This number of shares represents Aurora's current holding of ordinary shares in the Company, less the number of Sale Shares ascribed to Aurora.

#### Interpretation

17-0606

13. In these orders the following terms apply.

Appointed Seller an investment bank or stock broker

ASIC Australian Securities and Investments

Commission, as agent of the Commonwealth

Aurora Funds Management Ltd, including as

responsible entity for the Aurora Fortitude Absolute Return Fund and Aurora Global

Income Trust

Company Molopo Energy Limited

Keybridge Capital Limited

on market in the ordinary course of trading on Australian

Securities Exchange and not by crossing or

special crossing

Relevant Parties Keybridge and Aurora

Sale Shares 3,666,285 ordinary shares in the issued capital of

Company held by Keybridge

39,540,910 ordinary shares in the issued capital

of Company held by Aurora

Allan Bulman Director

with authority of John Sheahan QC President of the sitting Panel

Allan Bulman.

Dated 14 June 2017

#### Australian Securities and Investments Commission Corporations Act 2001 - Section 915B and 915H

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

TO: TPFL Limited ACN 105 164 047 (in liquidation)

c/- Farnsworth Shepard

Level 5

2 Barrack Street

SYDNEY NSW 2000

Pursuant to paragraph 915B(3)(b) of the Corporations Act 2001, the Australian Securities and Investments Commission (ASIC) hereby varies ASIC Instrument 10-0239 as varied by ASIC Instrument 10-0936, ASIC Instrument 12-0400, ASIC Instrument 13-0382, ASIC Instrument 14-0253 and ASIC Instrument 15-0593 (the Instrument) by deleting Schedule A of the Instrument and substituting Schedule A.

#### Schedule A

The provision by the Licensee until 30 June 2018 of financial services that are reasonably necessary for or incidental to the winding up of the:

Teys Strata Development Trust ARSN 112 939 509 Teys Strata Lifestyle Property Trust ARSN 096 588 108

Andrew Rughy

Dated this 26th day of June 2017

Signed by Andrew Duffy

#### Australian Securities and Investments Commission Corporations Act 2001 – Subsection 601CK(7) – Declaration

#### **Enabling legislation**

 The Australian Securities and Investments Commission (ASIC) makes this instrument under subsection 601CK(7) of the Corporations Act 2001 (the Act).

#### Title

This instrument is ASIC Instrument 17-0612.

#### Commencement

This instrument commences on the date it is signed.

#### Declaration

 Section 601CK of the Act does not apply to Wells Fargo International Finance LLC ARBN 611 687 971 (WFIF) for the financial years ending 31 December 2016, 31 December 2017, and 31 December 2018.

#### Where this declaration applies

- This declaration applies where WFIF lodges with ASIC at least once every calendar year and at intervals of not more than 15 months:
  - (a) a copy of the unaudited:
    - (i) balance sheet;
    - (ii) profit and loss statement and
    - (iii) cash flow statement

(collectively, the financial statements)

made at the end of the last financial year by WFIF in US dollars, and in such form and containing such particulars as required by US GAAP; and

- (b) a statement certified by the most senior executive officer of WFIF that the original financial information used to prepare the financial statements of WFIF was the same information used in the preparation of WFC and the financial statements and notes for the relevant financial year give a true and fair view of the financial position and performance of WFIF and have been prepared in accordance with US GAAP; and
- (c) a statement from WFIF's external auditors certifying that the information in the financial statements of WFIF referred to in paragraph 5(a) has been prepared in accordance with the process undertaken by WFC when preparing its consolidated financial statements.

#### Interpretation

6. In this instrument:

US GAAP means the United States of America's Generally Accepted Accounting Principles.

WFC means Wells Fargo & Company, incorporated in Delaware under registration number 251212, who is the ultimate parent entity of WFIF.

Dated this 26th day of June 2017

Signed by Sarah-Jane Farlow





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Maxwald Pty Ltd
ACN 160 709 875 ("the Licensee")
Level 17
31 Queen Street
Melbourne VIC 3000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 458282 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

James Nott

#### Australian Securities and Investments Commission

### Corporations Act 2001 - Paragraphs 911A(2)(I) and 926A(2)(a) - Revocation and Exemption

#### **Enabling legislation**

The Australian Securities and Investments Commission (ASIC) makes this
instrument under paragraphs 911A(2)(1) and 926A(2)(a) of the Corporations Act
2001 (the Act).

#### Title

This instrument is ASIC Instrument 17-0614.

#### Commencement

- This instrument commences:
  - (a) for all paragraphs other than paragraph 4 on 1 July 2017; and
  - (b) for paragraph 4 on the date this instrument is published in the Gazette.

#### Revocation

4. ASIC revokes ASIC instrument 11-0471.

#### Exemption

 BPAY Pty Limited ACN 079 137 518 (BPAY) does not have to hold an Australian financial services licence for providing financial product advice.

#### Where the exemption applies

- The exemption in paragraph 5 applies where all of the following apply:
  - the financial product advice is only general advice in relation to BPAY payment products that are issued by BPAY Members; and
  - (b) the financial product advice is in the form of advertising of the BPAY payment products:

- (i) on a billboard or poster; or
- (ii) in the media; or
- by an electronic service (including a service provided by the internet) that is similar to a billboard or poster; or
- (iv) in a brochure or flyer; or
- in an electronic service (including a service provided by the internet) that is similar to a brochure or flyer; and
- (c) for an advertisement of the kind mentioned in subparagraph 6(b), the advertisement indicates that:
  - (i) the BPAY payment products are issued by BPAY Members; and
  - (ii) a Product Disclosure Statement is available for each BPAY payment product and can be obtained by contacting the BPAY Member that issues that BPAY payment product; and
  - (iii) a person should consider whether or not a BPAY payment product is appropriate for the person; and
- (d) for an advertisement of the kind mentioned in sub-subparagraph 6(b)(iv) and (v), the advertisement includes information that would, if BPAY were a financial services licensee, be required to be in the Financial Services Guide of BPAY by paragraphs 942B(2)(a), (e) and (f) of the Act.

#### Interpretation

In this instrument:

**BPAY Business Rules and Operating Procedures** means the rules that govern the arrangement between BPAY and BPAY Members as at 1 July 2017.

**BPAY Member** means a body corporate that is accepted by BPAY under the terms of the BPAY Business Rules and Operating Procedures as a person that can issue BPAY payment products.

**BPAY payment product** means a facility through which, or through the acquisition of which, a person makes non-cash payments that is described in the BPAY Business Rules and Operating Procedures.

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

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

general advice has the meaning given by subsection 766B(4) of the Act.

issuer has a meaning affected by subsection 761E(4) of the Act.

makes non-cash payments has the meaning given in section 763D of the Act.

media has the meaning given by subregulation 7.6.01(7) of the Corporations Regulations 2001.

Dated this 27th day of June 2017

Signed by Matthew Newell

#### Australian Securities and Investments Commission Corporations Act 2001 — Subsection 340(1) and 601QA – Exemption and Declaration

#### **Enabling legislation**

The Australian Securities and Investments Commission (ASIC) makes this
instrument under subsections 340(1) and 601QA(1) of the Corporations Act
2001 (the Act).

#### Title

This instrument is ASIC Instrument 17-0620.

#### Commencement

This instrument commences on the day it is signed.

#### **Exemption Order**

- ASIC relieves APN Funds Management Limited ACN 080 674 479 (the Responsible Entity) in its capacity as responsible entity of the APN Champion Retail Fund ARSN 127 948 127 (the Scheme) from Part 2M.3 of the Act in relation to the financial year ended 30 June 2017.
- The Responsible Entity also does not have to comply with section 601HG of the Act in relation to the Scheme for the financial year ended 30 June 2017.

#### Where this instrument applies

 The Responsible Entity maintains arrangements for answering, free of charge, reasonable enquiries from the members of the Scheme about the consequences of the relief provided by this Order.

Dated this 29th day of June 2017.

RNeilson

Signed by Kathy Neilson



### Corporations (Terrey Hills Golf and Country Club Holdings Limited) Exemption Revocation Notice 2017

Corporations Act 2001
I, Oliver Harvey, Senior Executive Leader, Australian Securities and Investments Commission, make this exemption revocation under section 791C(2)(b) of the Corporations Act 2001, effective 30 June 2017.
Dated 28 June 2017
Signed Signed as a delegate of the Minister under s1101J of the Act

#### Name of Notice

 This Notice is the Corporations (Terrey Hills Golf and Country Club Holdings Limited) Exemption Revocation Notice 2017.

#### Commencement

2. This Notice commences on the day specified in the Revocation of Exemption.

#### Revocation of Exemption

 The Corporations (Terrey Hills Golf and Country Club Holdings Limited) Exemption Notice 2011 is revoked, effective 30 June 2017.





#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Formax Capital Markets Pty Ltd ACN 150 530 331("the Licensee") Level 26, 6-10 O'Connell Street Sydney NSW 2000

Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 405103 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

28/6/2017

Signed

Hock Peng Lee



### Corporations (National Golf Holdings Limited) Exemption Revocation Notice 2017

Corporations Act 2001
I, Oliver Harvey, Senior Executive Leader, Australian Securities and Investments Commission, make this exemption revocation under section 791C(2)(b) of the Corporations Act 2001, effective 30 June 2017.
Dated 28 June 2017
Signedas a delegate of the Minister under s1101J of the Act

#### Name of Notice

 This Notice is the Corporations (National Golf Holdings Limited) Exemption Revocation Notice 2017.

#### Commencement

2. This Notice commences on the day specified in the Revocation of Exemption.

#### Revocation of Exemption

 The Corporations (National Golf Holdings Limited) Exemption Notice 2005 is revoked, effective 30 June 2017.





ASIC

Australian Securities & Investments Commission

17-0630

#### Australian Securities and Investments Commission Corporations Act 2001 Section 915B

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

TO: Angus Investment Holdings Pty. Ltd. ACN 163 733 980("the Licensee") 15A Sunnyside Crescent CASTECRAG NSW 2068

Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 442488 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

30 Jane 201.

Signed

James Nott

#### Australian Securities and Investments Commission

#### Corporations Act 2001 - Subsection 713(6) - Determination

Under s713(6) of the Corporations Act 2001 (the Corporations Act), the Australian Securities and Investments Commission determines that the person specified in the Schedule may not rely on s713 of the Corporations Act from the date of this instrument until 28 March 2018.

#### Schedule

Axiom Mining Limited ARBN 119 698 770

Dated this 22<sup>nd</sup> day of June 2017.

Signed: .....

Kate Dluzniak

### AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION IN THE MATTER OF DAVID MICHAEL FONG

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

To: David Michael Fong

**TAKE NOTICE** that under sections 920A(1) and 920B(2) of the Corporations Act 2001 the Australian Securities & Investments Commission prohibits **DAVID MICHAEL FONG** from providing any financial services permanently.

Dated this 19th day of June 2017.

Signed:

Kate Dluzniak

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.

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

#### **Enabling legislation**

The Australian Securities and Investments Commission (ASIC) makes this
instrument under paragraphs 655A(1)(b) and 673(1)(b) of the Corporations Act
2001 (the Act).

#### Title

This instrument is ASIC Instrument 17-0633.

#### Commencement

This instrument commences on 29 June 2017.

#### Declarations

- Chapters 6 and 6C of the Act apply to Australia WeTouch Technology Limited ACN 611 706 408 (*WeTouch*) as if section 609 were modified or varied by, after subsection (13) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:
  - "(13A) A body corporate does not have a relevant interest in its own securities merely because, under an escrow arrangement entered into by the body corporate, the body corporate applies restrictions on the disposal of the securities by the holder.".
- Chapters 6 and 6C of the Act apply to WeTouch as if section 9 were modified or varied by, after subparagraph (a)(ii)(C) in the definition of substantial holding (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

"or

- (D) subsection 609(13A) (securities subject to escrow arrangement);".
- Chapter 6C of the Act applies to WeTouch as if section 671B were modified or varied by, omitting "." in paragraph (7)(c) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

";or

(d) subsection 609(13A) (securities subject to escrow arrangement).".

#### Where this instrument applies

 This instrument applies in relation to relevant interests WeTouch has in securities of WeTouch (*Escrowed Securities*) merely because WeTouch has entered into one or more escrow agreements or deeds (each an *Escrow Arrangement*) with each *Security Holder* in connection with the proposed 2

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admission of WeTouch's securities to the official list of the Australian Securities Exchange (ASX) where each Escrow Arrangement:

- does not restrict the exercise of voting rights attaching to, the Escrowed Securities;
- (b) in the case of a takeover bid (including a proportional takeover bid):
  - allows each Security Holder to accept into the Takeover Bid where holders of at least half of the bid class securities that are not subject to an Escrow Arrangement have accepted into the bid; and
  - requires that the Escrowed Securities be returned to escrow if the bid does not become unconditional;
- allows the Escrowed Securities to be transferred or cancelled as part of a merger by way of compromise or arrangement under Part 5.1 of the Act;
- (d) terminates on the date that is 12 months after the date of the admission of WeTouch to the official list of ASX; and
- (e) is substantially in the same form as the draft agreement provided to ASIC on 8 June 2017.

#### Interpretation

- In this instrument Security Holder means any of the following persons who hold shares in the Company:
  - i. Qihong Technology (Samoa) Limited
  - ii. Guojun XIA
  - iii. Jianbo HUANG
  - iv. Zhongge LU
  - v. Xiaoli YU
  - vi. Li YANG
  - vii. Xuebin DENG
  - viii. Zhugen ZHANG
  - ix. Shuxia CAO

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- xi. Xiaoqin JIANG
- xii. Min XIE
- xiii. Guo LI
- xiv. Lijian WANG
- xv. Xuejun ZHANG
- xvi. Deming YANG
- xvii. Qi YANG
- xviii. Yinli YANG
- xix. Caiqin YE
- xx. Xiaoying CHEN
- xxi. Shongbo LIN
- xxii. Cuihua YE
- xxiii. Manhua ZHANG
- xxiv. Li DAI
- xxv. Junming DUAN
- xxvi. Yanmei LIU
- xxvii. Ruilian MOU
- xxviii. Liqin WANG
- xxix. Wi WANG
- xxx. Li WEN
- xxxi. Guiying WU
- xxxii. Li TAN
- xxxiii. Hong LUO

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xxxiv. Zixiao ZHEN

xxxv. Bin LI

xxxvi. Jianhua LIU

xxxvii. Dabing WANG

xxxviii. Xinghai ZHONG

xxxix. Xueli WANG

xl. Xin LI

xli. Zhiping ZHOU

xlii. Yifang SONG

xliii. Pingwei LI

xliv. Mingquan OU

xlv. Wei XUE

xlvi. Feng ZHOU

xlvii. Yu WANG

xlviii. Zhao HU

xlix. Xiaode LIU

I. Jizong XIE

li. Guisong BAI

lii. Chuankang XIAO

liii. Huailong XU

liv. Jing YANG

lv. Kaide JIN

lvi. Xuejun ZHOU

lvii. Yan YANG

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lviii. Lan LAN

lix. Xiangcheng YANG

lx. Xiaolian ZHENG

lxi. Kaiyuan HU

lxii. Ziqian WANG

lxiii. Tianjun CAI

lxiv. Jiurong HE

lxv. Kaijian LU

lxvi. Huaqing QI

lxvii. Bo ZHAI

lxviii. Qian Li

lxix. Yong YANG

lxx. Lei CHEN

Dated this 29th day of June 2017

Signed by Melissa Liu



### Corporations (Sydney IVF Limited) Exemption Revocation Notice 2017

Corporations Act 2001	
I, Oliver Harvey, Senior Executive Leader, Australian Securities and Investments Commission, make this exemption revocation under section 791C(2)(b) of the Corporations Act 2001, effective 30 June 2017.	
Dated 29 Tuny 2017	
Signed	

#### Name of Notice

 This Notice is the Corporations (Sydney IVF Limited) Exemption Revocation Notice 2017.

#### Commencement

2. This Notice commences on the day specified in the Revocation of Exemption.

#### Revocation of Exemption

 The Corporations (Sydney IVF Limited) Exemption Notice 2010 is revoked, effective 30 June 2017.

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 29th June 2017

#### AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

#### IN THE MATTER OF JEFFREY BAILEY AND THE CORPORATIONS ACT 2001

To: Mr Jeffrey BAILEY

#### BANNING ORDER UNDER SECTIONS 920A and 920B OF THE CORPORATIONS ACT 2001

**TAKE NOTICE** that under sections 920A and 920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits JEFFREY BAILEY from providing any financial services PERMANENTLY.

Dated this 27th day of June 2017.

MELANIE BAXTER

Delegate of the Australian Securities and Investments Commission.

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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.

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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 thirtieth day of June 2017

Rosanne Bell

**DELEGATE OF** 

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
ENSIGHTEN LIMITED	167 673 154
HIROTEC CORP.	108 819 683
JP NELSON EQUIPMENT PTE. LTD.	159 524 455
ROADBRIDGE HOLDINGS	607 695 581
ENSIGHTEN LIMITED	167 673 154
HIROTEC CORP.	108 819 683
JP NELSON EQUIPMENT PTE. LTD.	159 524 455

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**CORPORATIONS ACT 2001** 

Subsection 601PB(2)

ASIC may deregister the managed investment schemes listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this thirtieth day of June 2017

Rosanne Bell

**DELEGATE OF** 

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
ACCESS FUND NO. 25	128 677 305
ACCESS FUND NO 1	114 703 329
ACCESS FUND NO 16	114 705 207
ACCESS FUND NO 17	114 705 412
ACCESS FUND NO 18	114 705 547
ACCESS FUND NO 19	114 705 672
ACCESS FUND NO 20	114 705 725
ACCESS FUND NO 22	114 705 958
AUSTRALIAN SHARES INDEX FUND	114 706 302
EAST KIMBERLEY SANDALWOOD PROJECT NO. 1	123 567 297
PRE SELECT BOUTIQUE AUSTRALIAN EQUITY FUND	114 706 053
TOP 200 FUND	115 805 546

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**CORPORATIONS ACT 2001** 

Section 601CL(5)

ASIC has struck the foreign companies listed below off the register.

Dated this thirtieth day of June 2017

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
ALLIANT TECHSYSTEMS OPERATIONS LLC	165 534 627
ATK LAUNCH SYSTEMS INC.	165 533 228
ORBITAL ATK, INC.	141 473 216
SCIENTIFIC CERTIFICATION SYSTEMS, INC.	608 480 075

#### ASIC GAZETTE

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**CORPORATIONS ACT 2001** 

Subsection 601PA(3)

ASIC may deregister the managed investment scheme(s) listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this thirtieth day of June 2017

Rosanne Bell

**DELEGATE OF** 

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme ARSN

RHEA INVESTMENTS TRUST 111 389 596

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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.

#### **ABILITY WEARABLES PTY LTD**

ACN 618 273 199 will change to a public company limited by shares. The new name will be ABILITY WEARABLES LIMITED ACN 618 273 199.

## **FINLIFE FINTECH PTY LTD** ACN 610 279 135 will change to a public company limited by shares. The new name will be FINLIFE FINTECH LTD ACN 610 279 135.

#### KIMBERLEY SECURITIES LTD

ACN 000 815 476 will change to a proprietary company limited by shares. The new name will be KIMBERLEY SECURITIES PTY LIMITED ACN 000 815 476.

#### **OMNIA FUNDS MANAGEMENT LTD**

ACN 606 226 368 will change to a proprietary company limited by shares. The new name will be OMNIA FUNDS MANAGEMENT PTY LTD ACN 606 226 368.

#### RICHFIELD INTERNATIONAL LTD

ACN 103 306 403 will change to a proprietary company limited by shares. The new name will be RICHFIELD INTERNATIONAL PTY LTD ACN 103 306 403.

**TASMANIA MINES LIMITED** ACN 009 491 990 will change to a proprietary company limited by shares. The new name will be TASMANIA MINES PTY LTD ACN 009 491 990.

#### ALLERON INVESTMENT MANAGEMENT

**LIMITED** ACN 109 874 160 will change to a proprietary company limited by shares. The new name will be ALLERON INVESTMENT MANAGEMENT PTY LIMITED ACN 109 874 160.

#### FOOD EXPERIENCES HOLDINGS PTY. LTD.

ACN 607 035 530 will change to a public company limited by shares. The new name will be FOOD EXPERIENCES HOLDINGS LTD ACN 607 035 530.

NTA SECURITIES LIMITED ACN 166 796 836 will change to a proprietary company limited by shares. The new name will be NTA SECURITIES PTY LTD ACN 166 796 836.

RAG HOLDCO LIMITED ACN 150 181 472 will change to a proprietary company limited by shares. The new name will be RAG HOLDCO PTY LIMITED ACN 150 181 472.

#### STOREHOUSE MANAGED INVESTMENTS

**LIMITED** ACN 084 088 157 will change to a proprietary company limited by shares. The new name will be STOREHOUSE MANAGED INVESTMENTS PTY LTD ACN 084 088 157.

#### WEST MANDALAY EXPLORATION PTY. LTD.

ACN 169 357 242 will change to a public company limited by shares. The new name will be PAN ASIA METALS LIMITED ACN 169 357 242.