



ASIC

Australian Securities &
Investments Commission

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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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ASIC

09-00919

Australian Securities & Investments Commission

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

Under subsection 741(1) of the *Corporations Act 2001* ("Act") the Australian Securities and Investments Commission declares that Chapter 6D of the Act applies to each person mentioned in Schedule A as if section 708A of the Act were modified by, after subsection 708A(5), inserting:

"(5A) For the purposes of paragraph (5)(b), disregard a suspension that:

- (a) was requested by the body under the listing rules of the prescribed financial market in contemplation of notifying the market operator of information for the purpose of the operator making that information available to participants in the market; and
- (b) was lifted, at the request of the body, immediately after the body notified the market operator of the information contemplated by paragraph (a)."

Schedule A

A person who holds a share in Pipe Networks Limited ACN 099 104 122 that was issued under an offer:

- (a) made on or about 4 November 2009; and
- (b) that because of subsection 708(8) or 708(11) of the Act did not need disclosure to investors under Part 6D.2 of the Act.

Dated 4th day of November 2009

Sydney Milton, as delegate of the
Australian Securities and Investments Commission

09-01004

**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 09-01004.

Exemption

3. Boom Logistics Limited ACN 095 466 961 (*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 14 January 2010, 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

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- (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 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

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- (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],

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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].

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

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- (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.

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(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.

Dated this 18th day of December 2009

Signed by Leonard David Bryant
as a delegate of the Australian Securities and Investments Commission

09-01062

Australian Securities and Investments Commission**Corporations Act 2001 – Paragraphs 601QA(1)(a), 911A(2)(l) and 1020F(1)(a) - Exemption**

1. Under paragraph 601QA(1)(a) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission (*ASIC*) exempts the person specified in Schedule A from compliance with section 601ED of the Act in the case specified in Schedule B on the conditions specified in Schedule E for so long as they are met.
2. Under paragraph 911A(2)(l) of the Act, ASIC exempts the person specified in Schedule A from the requirement to hold an Australian financial services licence for the provision of financial services in the case specified in Schedule C on the conditions specified in Schedule E for so long as they are met.
3. Under paragraph 1020F(1)(a) of the Act, ASIC exempts the person specified in Schedule A from compliance with Part 7.9 of the Act, other than Divisions 5 and 5A of Part 7.9, in the case specified in Schedule D on the conditions specified in Schedule E for so long as they are met.

Schedule A

Affordable Housing Consulting Pty Ltd ACN 134 397 434 (*Operator*).

Schedule B

1. The Operator operates a managed investment scheme (the *Scheme*) under which:
 - (a) owners of real property make their properties available to the Operator to rent to third parties under the *National Rental Affordability Scheme Act 2008* (*NRASA*);
 - (b) the Operator will be entitled to receive annual payments from the federal and state governments under the NRASA;
 - (c) the owners of real property under the Scheme will be entitled to receive rent from the tenants and will be required to pay all outgoings; and
 - (d) the Operator will distribute to the owners of real property under the Scheme a share of annual payments to the Operator received from the federal and state governments under the NRASA.

Schedule C

The Operator issues or arranges to issue an interest in the Scheme.

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Schedule D

1. The Operator offers to issue or to arrange for the issue of an interest in the Scheme; or
2. The Operator issues an interest in the Scheme.

Schedule E

1. The Operator must give a Disclosure Document to a person at or before the time the Operator offers to issue an interest in the Scheme or offers to arrange for the issue of an interest in the Scheme, or issues an interest in the Scheme, to that person.
2. The Operator or an independent person appointed by the Operator must maintain a trust account in which the national rental incentives received by the Operator from the federal and state governments are held pending distributions being made to the members of the Scheme.
3. The Operator will notify ASIC that a Disclosure Document is in use.
4. The Operator will lodge a notice with ASIC, in electronic form, advising of the occurrence of any of the following events as soon as practicable, and in any event within 5 business days, after the occurrence of the event:
 - (a) a copy of the Disclosure Document is first given to someone; or
 - (b) a change is made to fees and charges set out in the Disclosure Document;
 - or
 - (c) an interest in the Scheme ceases to be available.
5. The Operator must keep a copy of the Disclosure Document for the period of 7 years after the date of the Disclosure Document.
6. During the period of 7 years from the date of the Disclosure Document, the Operator must:
 - (a) make a copy of the Disclosure Document available to ASIC if asked to do so by ASIC; and
 - (b) comply with any reasonable request from any other person for a copy of the Disclosure Document.

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Interpretation

In this instrument:

Disclosure Document means a document which must include the following:

1. confirmation from the Operator that it has been approved by the Department of Families, Housing, Community Services and Indigenous Affairs (Cth) to receive rental incentives as part of the National Rental Affordability Scheme.
2. confirmation from the Operator that the rental incentives will be held in a third party trust account prior to the rental incentives being distributed.
3. the details of any fees and charges payable by the owner in relation to his, her or its participation in the Scheme.
4. a description of the main features of the interests in the Scheme;
5. details of the main terms and conditions of the offer;
6. provide answers to the questions set out in paragraph 2 of the Schedule to Class Order [CO 02/303] sufficiently to enable a typical investor in the interests in the Scheme to make an informed decision whether to invest in an interest in the Scheme;
7. a prominent statement to the effect that a person should consider whether to consult:
 - (a) an investment adviser who is either a financial services licensee or an authorised representative of a financial services licensee;
 - (b) a taxation adviser; and
 - (c) a lawyer,

before making a decision to become a member of the Scheme.

Dated this 23rd day of December 2009.



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

09-01074

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

1. 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 specified in Schedule A in the case specified in Schedule B as if section 707 were modified or varied by omitting subsections 707(3) and (4) and substituting:

“(3) An offer of a body's securities for sale within 12 months after their issue needs disclosure to investors under this Part if the body issued the securities:

- (a) without disclosure to investors under this Part; and
- (b) with the purpose of the person to whom they were issued;
 - (i) selling or transferring them; or
 - (ii) granting, issuing or transferring interests in, or options or warrants over, them;

and section 708 or 708A does not say otherwise.

- (4) Unless the contrary is proved, a body is taken to issue securities with the purpose referred to in paragraph (3)(b) if any of the securities are subsequently sold, or offered for sale, within 12 months after their issue.”.

Schedule A

A shareholder of Wildhorse Energy Limited ACN 117 085 748 (*Wildhorse*) who makes an offer for sale of a kind referred to in Schedule B.

Schedule B

An offer for the sale of securities in Wildhorse where:

- (a) the securities were issued by reason of the exercise of options which were:
 - (i) issued under the Option Scheme; and
 - (ii) issued without disclosure to investors under Part 6D.2 of the Act because subsection 708(17) applied (the *Options*); and

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- (b) the circumstances and terms of issue of the Options issued under the Option Scheme are disclosed in the Explanatory Statement in relation to the Schemes; and
- (c) the Explanatory Statement in relation to the Schemes includes a statement describing the need for, and effect of, the relief contained in this instrument; and
- (d) the exercise of the Options did not involve any further offer of the shares.

Interpretation

In this instrument:

Explanatory Statement means the explanatory statement sent to shareholders and option holders of Peak under subsection 412(1) of the Act in relation to the Schemes;

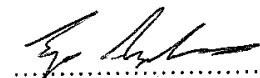
Option Scheme means the proposal by Peak under which listed options in Peak are to be exchanged for the issue of unlisted options in Wildhorse pursuant to a scheme of arrangement under Part 5.1 of the Act, the final draft explanatory statement in respect of which was provided to ASIC on 18 December 2009;

Peak means Peak Coal Limited ACN 125 884 031;

Share Scheme means the proposal by Peak under which listed shares in Peak are to be exchanged for the issue of listed shares in Wildhorse pursuant to a scheme of arrangement under Part 5.1 of the Act, the final draft explanatory statement in respect of which was provided to ASIC on 18 December 2009; and

Schemes means the Share Scheme and the Option Scheme.

Dated 18 December 2009



Signed by Enzo Anselmo, as a delegate of the
Australian Securities and Investments Commission

09-01083

**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 09-01083.

Exemption

3. Nanosonics Limited ACN 095 076 896 (*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 15 December 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 custodian to

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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

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- (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].

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

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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.

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- (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.

Dated this 14th day of December 2009



Signed by Elizabeth Korpi
as a delegate of the Australian Securities and Investments Commission

09-01097

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

Pursuant to paragraph 741(1)(a) of the *Corporations Act 2001* (the *Act*) the Australian Securities and Investments Commission (*ASIC*) exempts the persons specified in Schedule A from section 722 and subsection 723(1) of the Act, in the case specified in Schedule B, on the conditions set out in Schedule C.

Schedule A

Macquarie Atlas Roads Limited ACN 141 075 201

Macquarie Atlas Roads International Limited (Bermudan Registration No. 43828)
(each an *Issuer* and together *Issuers*)

Schedule B

A prospectus (*Prospectus*), lodged with ASIC on or about 18 December 2009, by each Issuer which, among other things, invites holders of interests in Macquarie Infrastructure Trust (I) ARSN 092 863 780, Macquarie Infrastructure Trust (II) ARSN 092 863 548, and Macquarie Infrastructure Group International Limited ARBN 112 684 885 (*MIG Securityholders*) to attend a meeting to be held on or about 22 January 2010 (*Meeting*) to consider proposals (*Proposals*) to:

1. issue shares in the Issuers (*Issuer Securities*) to Macquarie Infrastructure Investment Management Limited ACN 072 609 271 as responsible entity of Macquarie Infrastructure Trust (II) ARSN 092 863 548 and Macquarie Infrastructure Group International Limited ARBN 112 684 885 ; and
2. transfer Issuer Securities to all MIG securityholders on the relevant record date.

Schedule C

1. No Issuer Securities will be issued on the basis of a Prospectus after the issue and transfer of the Issuer Securities which are approved at the Meeting but, in any event, no Issuer Securities will be issued on the basis of a Prospectus later than 13 months after the date of the Prospectus.
2. All notices of the Meeting sent to MIG Securityholders are included in or accompanied by a copy of the Prospectus.
3. The notices of Meeting and the accompanying explanatory memorandum set out the manner in which the Issuer Securities to which the Prospectus relates would be issued and transferred to MIG Securityholders if the MIG Securityholders approve the Proposals.

09-01097

Dated this 17th day of December 2009

A handwritten signature in black ink, appearing to read 'C. Chan', with a long horizontal stroke extending to the right.

Signed by Cathy Chan
As a delegate of the Australian Securities and Investments Commission

09-01106

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

Under paragraph 655A(1)(a) of the Corporations Act 2001 (**Act**), the Australian Securities and Investments Commission exempts the persons referred to in Schedule A from subsections 606(1) and 606(2) of the Act in the case set out in Schedule B.

Schedule A

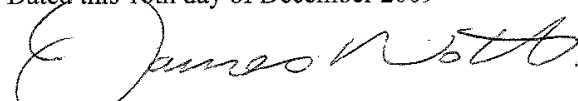
Elph Pty Ltd ACN 070 012 252
Elphinstone Holdings Pty Ltd ACN 009 508 105
Dale Brendan Elphinstone (collectively, the **Persons**)

Schedule B

Where:

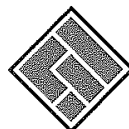
- (a) the Persons had voting power in Coote Industrial Limited ACN 120 432 144 (**Company**) of 25% on 11 December 2009;
- (b) the Persons' voting power would have remained at 25% in the Company but for issues of securities resulting from the Company's share purchase plan announced to the Australian Securities Exchange on 18 November 2009; and
- (c) the Persons' acquire additional shares which increases their voting power to no more than 25% of the Company prior to 12 June 2010.

Dated this 18th day of December 2009



James Nott

As a delegate of the Australian Securities and Investments Commission



09-01110

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: LOCUMSGROUP SECURITIES PTY LIMITED
ACN 096 994 302 ("the Licensee")
Level 3
20 Loftus Street
SYDNEY NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 226159 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 21st Day of December 2009

Signed

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

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

09-01114

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

1. Under subsection 741(1) 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:
 - (a) subparagraph (b)(iii) of the definition of "continuously quoted securities" in section 9; and
 - (b) paragraph 708AA(2)(e);were modified or varied by inserting after the words, "section 340", the words, "(other than an order under section 340 signed by a delegate of ASIC on 22 December 2009)".
2. Under subsection 741(1) of the Act, ASIC declares that Chapter 6D of the Act applies to the persons specified in Schedule C, in the case specified in Schedule D, as if paragraph 708A(5)(d) were modified or varied by inserting after the words, "section 340", the words, "(other than an order under section 340 signed by a delegate of ASIC on 22 December 2009)".

Schedule A

Sino Gas & Energy Holdings Limited ACN 124 242 422 (*Company*)

Schedule B

An offer for the issue of ordinary shares in the Company at a time where ASIC Instrument [09-01113] dated 22 December 2009 covered the Company in the previous 12 months.

Schedule C

Persons holding ordinary shares in the Company

Schedule D

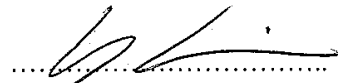
An offer for the sale of ordinary shares in the Company (*Shares*) at a time:

- (1) within 12 months after:

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- (a) the issue of the Shares; or
 - (b) the sale of the Shares by a person who controlled the Company at the time of sale; and
- (2) where ASIC Instrument [09-01113] covered the Company in the previous 12 months.

Dated this 22nd day of December 2009



Signed by Yuki Kobayashi
as a delegate of the Australian Securities and Investments Commission

09-01116

**Australian Securities and Investments Commission
Corporations Act 2001 — Section 951B (1)(a) — Exemption**

1. The Australian Securities and Investments Commission makes this instrument under paragraph 951B(1)(a) of the *Corporations Act 2001* (Cth) (the *Act*).

Exemption

2. Hillross Financial Services Limited ACN 003 323 055 (*Hillross*) or an authorised representative of Hillross (each a *providing entity*) does not have to comply with subregulation 7.7.09B(2) of the *Corporations Regulations 2001* (Cth) in respect of a document or part of a document already given to a client by Rabo Financial Advisors Limited ACN 096 538 288 (*RFA*), now known as Hillross Alliances Limited, or an authorised representative of RFA where all of the following apply:
 - (a) the providing entity gives the client a Statement of Advice on or before 31 May 2010;
 - (b) the client was a client of RFA or of an authorised representative of RFA on 1 December 2009;
 - (c) the providing entity has taken reasonable steps to ensure that the client has previously received from RFA or an authorised representative of RFA the document or part of the document.

Interpretation

3. In this instrument:
 - (a) *authorised representative* has the same meaning given by section 761A of the Act.
 - (b) *Statement of Advice* has the same meaning as in section 761A of the Act.

Dated this 22nd day of December 2009



Signed by *Annette Musolino*
as a delegate of the Australian Securities and Investments Commission

09-01117

**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 09-01117.

Exemption

3. Contango Microcap Limited ACN 107 617 381 (*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 24 December 2009 under a sub-custodian offer, in relation to a share purchase plan the first offers under which were made on or about 10 December 2009 (*Share 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;

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- (e) the written offer document for the sub-custodian offer is provided to an IDPS Custodian and contains the following information:
 - (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 sub-custodian 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 sub-custodian offer; or
 - (ii) within the 24 hour period before the sub-custodian 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 sub-custodians 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. The sub-custodian offer is made on the same terms and conditions as the Share Purchase Plan except that the sub-custodian offer is made only to an IDPS Custodian who holds the shares where the beneficial interest in the shares are held on behalf of an IDPS client by another person who is the operator of the IDPS.

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6. The issuer must not issue shares to an IDPS Custodian with a total application price exceeding \$15,000 in any 12 month period unless on application for the shares, the IDPS Custodian certifies the following in writing to the issuer:
- (a) that the IDPS Custodian holds shares in the class on behalf of one or more other persons (each a *participating beneficiary*) on 10 December 2009 who have subsequently instructed the IDPS Custodian to apply for shares on their behalf under the sub-custodian offer;
 - (b) the number of participating beneficiaries under the sub-custodian offer;
 - (c) the name and address of each participating beneficiary under the sub-custodian offer;
 - (d) in respect of each participating beneficiary, the number of shares in the class that the IDPS Custodian holds on their behalf;
 - (e) in respect of each participating beneficiary, the number or the dollar amount of shares they instructed the IDPS Custodian to apply for on their behalf under the sub-custodian offer;
 - (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 IDPS Custodian on their behalf under the Share Purchase Plan; and
 - (ii) any other shares in the class issued to the IDPS Custodian in the 12 months before the application as a result of an instruction given by them to the IDPS Custodian to apply for shares on their behalf under an arrangement similar to the Share Purchase Plan or sub-custodian offer.
7. The issuer must not issue shares under the sub-custodian offer 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 IDPS Custodian on behalf of the person under the sub-custodian offer; and
 - (b) any shares issued to the person under the Share Purchase Plan; and
 - (c) any shares issued to a sub-custodian as a result of an instruction given by the person to the sub-custodian to apply for shares on their behalf under the Share Purchase Plan; and
 - (d) any other shares in the class issued to the person under an arrangement similar to the Share Purchase Plan in the 12 months before the date of issue under the Share Purchase Plan; and

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- (e) any other shares in the class issued to the IDPS Custodian on behalf of that person under an arrangement similar to the sub-custodian offer in the 12 months before the date of issue under the sub-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.

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].

IDPS Custodian has the meaning given by paragraph 9(e)(i) of this instrument

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

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

sub-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

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(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.

sub-custodian offer means an offer to a registered holder who is a sub-custodian and acting as an IDPS Custodian to acquire shares in the class where the beneficial interest in the shares is held on behalf of an IDPS client by another person who is the operator of the IDPS.

(b) if a sub-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 sub-custodian held the shares on behalf of a single person; and
- (ii) the sub-custodian is taken to have been instructed to apply for shares on behalf of those persons if:
 - (A) the sub-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 sub-custodian has received such an instruction from any of those persons.

(c) references to an issuer offering shares include the issuer inviting applications for the issue of the shares.

(d) 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.

(e) if:

- (i) shares in the class are held through an IDPS by a sub-custodian (**IDPS Custodian**); and

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- (ii) 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 IDPS 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 Share Purchase Plan purchase plan on their behalf were an instruction given to the IDPS Custodian; and
- (vi) any shares applied for by the IDPS Custodian as a result of an instruction given by the IDPS client to the operator were applied for on behalf of the IDPS client.

Dated this 24th day of December 2009



Signed by Leonard David Bryant
as a delegate of the Australian Securities and Investments Commission

09-01119

**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 708AA(2)(c) were modified or varied by replacing it with:

- "(c) trading in that class of securities on a prescribed financial market on which they are quoted was not suspended for more than a total of 6 days during the shorter of the following periods;
- (i) the period during which the class of securities is quoted;
 - (ii) the period of 12 months before the day on which the offer is made; and"

Schedule A

Energy Metals Limited ACN 111 306 533 (**Energy Metals**)

Schedule B

An offer of ordinary shares under a rights issue proposed to be made to shareholders as described in the announcement by Energy Metals to the ASX Limited ACN 008 624 691 made on 8 September 2009.

Dated this 22nd day of December 2009.



Signed by Trevor John Shaw
as a delegate of the Australian Securities and Investments Commission

09-01120

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

Enabling provisions

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 601QA(1)(a), 911A(2)(l) and 1020F(1)(a) of the *Corporations Act 2001* (the *Act*).

Exemptions

2. Brambles Limited ACN 118 896 021 (*Brambles*) does not have to comply with:
 - (a) section 601ED of the Act in relation to the Sale Facility; and
 - (b) Divisions 2 to 5 of Part 7.9 of the Act in relation to an interest in the Sale Facility; and
 - (c) the requirement to hold an Australian financial services licence for the provision of the following financial services:
 - (i) dealing in an interest in the Sale Facility; and
 - (ii) the provision of general advice in relation to an interest in the Sale Facility.
3. To avoid doubt, to the extent Brambles invites an Eligible Holder to make an offer to sell Brambles Shares or Brambles acquires a relevant interest in Brambles Shares to be sold through the Sale Facility, Brambles does not have to comply with Division 5A of Part 7.9 of the Act.

Where relief applies

4. The exemptions in paragraphs 2 and 3 apply in relation to the Sale Facility where that facility satisfies all of the following:
 - (a) Brambles Shares are admitted to quotation on the ASX;
 - (b) under the terms of the Sale Facility:
 - (i) the Brambles Shares of participating Eligible Holders to be sold through the facility are pooled; and
 - (ii) the Broker sells the Brambles Shares on behalf of (and in the name) of the Nominee (as trustee for the Eligible Holder) in the ordinary course of trading on the relevant market; and

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- (iii) the proceeds of the sale net of expenses (to the extent (if any) that they are not met by Brambles) are distributed to participating Eligible Holders; and
- (iv) each participating Eligible Holder is paid their proportion of the proceeds of sale as soon as practicable and, in any event, within 12 weeks after the date on which Brambles received the participating Eligible Holder's election to participate in the facility.

Conditions of the relief

5. In order to rely on the exemptions in subparagraphs 2(a) or (b) or paragraph 3, Brambles must:
 - (a) give or send to each Eligible Holder who has been invited to participate in the Sale Facility, a document which complies with paragraph 6, by:
 - (i) giving the document to the Eligible Holder personally; or
 - (ii) sending the document:
 - (A) by post to the address for the Eligible Holder in the Register or an alternative address (if any) nominated by the Eligible Holder; or
 - (B) to the fax number or electronic address (if any) nominated by the Eligible Holder; and
 - (b) take reasonable steps to ensure that the Sale Facility is not operated during any period where a control transaction has been publicly proposed and has not ended; and
 - (c) operate the Sale Facility as closely as practicable in accordance with the 12 week timetable provided as an attachment to the email to ASIC, dated 21 October 2009.
 6. The document:
 - (a) must contain the following statements and information:
 - (i) a statement that the Sale Facility is open until the expiry date set out in the document, which cannot be more than 12 months after the date of the document; and
 - (ii) information about the minimum and maximum number (if any) of Brambles Shares a participating Eligible Holder can elect to
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have sold by the Nominee on their behalf through the Sale Facility; and

- (iii) a statement that the market price of Brambles Shares is subject to change from time to time; and
 - (iv) information about how to obtain up-to-date information on the market price of Brambles Shares; and
 - (v) information about any expenses relating to the sale or purchase of Brambles Shares that will be paid by the participating Eligible Holders; and
 - (vi) information about how the proceeds of sale for Brambles Shares sold through the facility will be allocated between participating Eligible Holders; and
 - (vii) a statement that the amount of money received by a participating Eligible Holder for Brambles Shares that are sold through the facility may be more or less than the actual price that is received by the Broker for those Brambles Shares; and
 - (viii) information about any other significant characteristics or features of the facility or of the rights and obligations of Eligible Holders who elect to participate in the facility; and
 - (ix) information about any alternatives that the Eligible Holder may have to participate in the facility; and
 - (x) a statement that the sale proceeds of Brambles Shares may not be distributed until up to 12 weeks after participating Eligible Holders elect to take part in the facility.
- (b) must be worded and presented in a clear, concise and effective manner; and
- (c) may be given in printed or electronic form and, if given in electronic form, must, as far as practicable, be given in a way that will allow the Eligible Holder to print or save a copy of it; and
- (d) may be made up of 2 or more separate documents that are given at the same time and by the same means.

Exclusion from reliance

7. Brambles is excluded from relying on subparagraph 2(c) of this instrument if it becomes aware of matters that give it reason to believe it has failed in a material respect to comply with a condition of this instrument and it does not give full

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particulars of the failure to ASIC in writing within 15 business days after becoming so aware.

Interpretation

In this instrument:

ASX means the financial market operated by ASX Limited ACN 008 624 691.

Brambles CDI means an equitable interest in a Brambles Share that is included in the official list of the LSX, being equitable interests issued for the purpose of enabling beneficial ownership of Brambles Shares, to be recorded in and transferred through CREST, and being described in the Rules of the London Stock Exchange as CREST Depositary Interests or CDIs.

Brambles Share means a fully paid ordinary share in Brambles.

Broker means the participant of ASX that Brambles will use for the operation of the Sale Facility, being J.P. Morgan Australia Limited ACN 002 888 011 or J.P. Morgan Securities Australia Limited ACN 003 245 234.

control transaction means a transaction or proposed transaction that affects the control, or potential control, of Brambles.

CREST means the settlement system operated by Euroclear UK & Ireland Ltd.

Eligible Holder means each person who is shown in the Register as holding a Brambles CDI.

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

licensed market has the meaning given by section 761A of the Act.

LSX means the financial market operated by London Stock Exchange plc.

Nominee means Pacific Custodians Pty Limited ACN 009 682 866.

participating Eligible Holder means a person who:

- (a) is shown in the Register as holding a Brambles CDI; and
- (b) has elected to participate in the Sale Facility.

Register means the register of CDI holders maintained under an agreement with Brambles for the purposes of its secondary listing on the LSX.

Sale Facility means a facility operated by Brambles through which a participating Eligible Holder can elect to have their Brambles Shares sold by the Nominee on their behalf.

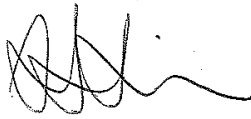
09-01120

5

Commencement

This instrument takes effect upon gazettal.

Dated this 23rd day of December 2009

A handwritten signature in black ink, appearing to be 'Andrew Kim', written over a horizontal line.

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



09-01129

ASIC

Australian Securities & Investments Commission

**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 (*ASIC*) 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 ASIC 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:

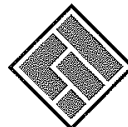
“(2A) If there is more than one class of interests in the scheme, a formula or method that is to be used to set the withdrawal amount is taken to comply with subsection (2) if the formula or method is based on the assets, liabilities, revenues and expenses properly attributable to the class and number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

Schedule

Challenger Managed Investments Limited ACN 002 835 592 in its capacity as responsible entity of the Ardea Australian Inflation Linked Bond Fund ARSN 141 165 362.

Dated this 24th of December 2009

Signed by Stephanie Sutherland
as a delegate of the Australian Securities and Investments Commission



09-01130

ASIC

Australian Securities & Investments Commission

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

Notice of Cancellation of an Australian Financial Services Licence

TO: GWG Investments Pty Ltd
ACN 131 472 645 ("the Licensee")
Unit 2
5 Marjory Thomas Place
BALGOWLAH NSW 2093

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 328884 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 23 December 2009

Signed

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



09 - 1139

ASIC

Australian Securities & Investments Commission

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

Variation of Notice of Suspension of an Australian Financial Services Licence

TO: Trio Capital Limited ACN 001 277 256 (Administrators appointed) (the Licensee)
Suite 403 Level 4
70 Castlereagh Street
SYDNEY NSW 2000

Under paragraph 915B(3)(b) and section 915H of the *Corporations Act 2001*, the Australian Securities and Investments Commission (ASIC) hereby varies ASIC instrument 09-1103 as follows:

1. omit paragraph 1 of Schedule A and substitute:

"1. the provision of financial services to the trustee (*fund trustee*) of a regulated superannuation fund (*super fund*) under an outsourcing agreement with the fund trustee entered into with the Licensee prior to the date of this notice for the provision of administration services in relation to the super fund by the Licensee or on behalf of the Licensee by a person under an authorisation entered into with the Licensee under Division 5 of Part 7.6 of the Act prior to the date of this notice.";

2. omit "(a)" in paragraph 3 of Schedule A and substitute "1.";

3. omit "(a)" in paragraph 2 of Schedule B and substitute "1.";

4. omit "Part 5C.3" in paragraph 1(a) of Schedule B and substitute "Part 5C.2"; and

5. after "Astarra Strategic Fund ARSN 115 962 368" insert:

"18. MillhouseIAG Private Equity Fund ARSN 112 314 931".

Dated this 24th day of December 2009

signed by Michelle Reid

as a delegate of the Australian Securities and Investments Commission

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.

AFFORDABLE HOUSING PROJECTS LIMITED ACN 136 348 519 will change to a proprietary company limited by shares. The new name will be AFFORDABLE HOUSING PROJECTS PTY LTD ACN 136 348 519.

BELLE BIJOUX AUSTRALIA PTY LTD ACN 130 948 711 will change to a public company limited by shares. The new name will be BELLE BIJOUX AUSTRALIA LTD ACN 130 948 711.

EASYFOOD PTY LTD ACN 123 864 979 will change to a public company limited by shares. The new name will be EASYFOOD LIMITED ACN 123 864 979.

EROMANGA HYDROCARBONS N L ACN 000 752 849 will change to a public company limited by shares. The new name will be EROMANGA HYDROCARBONS LIMITED ACN 000 752 849.

KEREN MINING LIMITED ACN 108 630 020 will change to a proprietary company limited by shares. The new name will be KEREN MINING PTY LTD ACN 108 630 020.

MINCOM MANAGED SERVICES LIMITED ACN 089 850 939 will change to a proprietary company limited by shares. The new name will be MINCOM MANAGED SERVICES PTY LTD ACN 089 850 939.

PROACTIVE DISTRIBUTORS AUSTRALIA PTY ACN 119 748 355 will change to a proprietary company limited by shares. The new name will be PROACTIVE DISTRIBUTORS AUSTRALIA PTY LTD ACN 119 748 355.

SUB SAHARA RESOURCES (ERITREA) LTD ACN 105 022 875 will change to a proprietary company limited by shares. The new name will be SUB SAHARA RESOURCES (ERITREA) PTY LTD ACN 105 022 875.

ATKAR PTY. ACN 117 675 902 will change to a proprietary company limited by shares. The new name will be ATKAR PTY LTD ACN 117 675 902.

CIVIQUE INDUSTRIES PTY ACN 111 620 109 will change to a proprietary company limited by shares. The new name will be CIVIQUE INDUSTRIES PTY LTD ACN 111 620 109.

EASYNET CAFE LIMITED ACN 107 837 829 will change to a proprietary company limited by shares. The new name will be EASYNET CAFE PTY LTD ACN 107 837 829.

GRE HOLDINGS LIMITED ACN 006 349 793 will change to a proprietary company limited by shares. The new name will be GRE HOLDINGS PROPRIETARY LIMITED ACN 006 349 793.

KERFAB INDUSTRIES PTY ACN 122 908 285 will change to a proprietary company limited by shares. The new name will be KERFAB INDUSTRIES PTY LTD ACN 122 908 285.

PEAK CAPITAL GROUP LTD ACN 127 370 030 will change to a proprietary company limited by shares. The new name will be PEAK CAPITAL GROUP PTY LTD ACN 127 370 030.

ROTOCULT LIMITED ACN 095 977 585 will change to a proprietary company limited by shares. The new name will be RTOCULT PTY LTD ACN 095 977 585.

WESTERN RIFT LIMITED ACN 124 875 323 will change to a proprietary company limited by shares. The new name will be WESTERN RIFT PTY LTD ACN 124 875 323.