



**ASIC**  
Australian Securities &  
Investments Commission

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# ASIC Gazette

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### RIGHTS OF REVIEW

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

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18-1179

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 18-1179.

**Commencement**

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

**Exemption**

4. Invion Limited ACN 094 730 417 (*Invion*) does not have to comply with Parts 6D.2 and 6D.3 of the Act for an offer of securities in Chronic Airway Therapeutics Limited ACN 628 608 113 (*CAT*) to shareholders of Invion.

**Declaration**

5. Chapter 6D of the Act applies to shareholders of CAT as if section 707 were modified or varied by omitting subsections 707(3), (4), (5) and (6).

**Where this instrument applies**

6. The exemption in paragraph 4 applies to invitations by Invion to its shareholders to vote at a general meeting on a capital reduction of Invion and an in-specie transfer of ordinary shares in CAT to the shareholders of Invion (*Demerger Proposal*), in accordance with a notice of meeting that:
  - (a) is in substantially the same form as the draft notice of meeting given to ASIC on 14 December 2018; and
  - (b) includes a statement:
    - (i) describing the need for, and effect of, the relief contained in this instrument as it applies to shareholders; and
    - (ii) that the notice of meeting is in substantially the same form as the draft notice of meeting given to ASIC on 14 December 2018.

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7. The declaration in paragraph 5 applies where:

- (a) a CAT shareholder makes an offer of their ordinary shares in CAT (*Shares*) for sale;
- (b) the Shares were transferred to the CAT shareholder pursuant to the Demerger Proposal referred to in paragraph 6; and
- (c) the offer is not made within 12 months of a sale or transfer of the Shares by a person, other than Invion, who:
  - (i) controls CAT;
  - (ii) would have been required by subsection 707(2) of the Act to give disclosure to investors under Part 6D.2 of the Act but for section 708 or 708A of the Act; and
  - (iii) did not give disclosure to investors under Part 6D.2 of the Act because of section 708 or 708A of the Act.

Dated this 20<sup>th</sup> day of December 2018



Signed by Will Robertson  
as a delegate of the Australian Securities and Investments Commission

18-1199

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

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

**Title**

2. This instrument is ASIC Instrument 18-1199.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to Infigen Energy RE Limited ACN 113 813 997 as the responsible entity of the Infigen Energy Trust ARSN 116 244 118 (**IET**) as if the following provisions of that Chapter were modified or varied as follows:
  - a) after subsection 601GAA(9) as notionally inserted into Chapter 5C by ASIC Corporations (Managed investment product consideration) Instrument 2015/847, insert:
    - “(9A) the responsible entity may set the issue price of interests in the scheme where all of the following apply:
      - (a) stapled securities are quoted on:
        - (i) the financial market of ASX; or
        - (ii) an approved foreign exchangeand the quotation of the stapled securities is not suspended;
      - (b) the constitution makes provision for the issue price of stapled securities;

- (c) the constitution provides that the responsible entity may allocate a proportion of the issue price of the stapled securities to the interests;
- (d) stapled securities are issued at the current market price, as defined in the scheme constitution;
- (e) any acquisition of an interest in the scheme by the responsible entity or an associate of the responsible entity does not disadvantage other members of the scheme; and
- (f) the sum of the price at which the interest and the other financial products are to be issued is to equal the current market price, as defined in the scheme constitution, for the stapled securities.”

**Where this instrument applies**

5. This instrument applies where ordinary interests in IET must, on the terms on which they may be traded, only be transferred with shares in Infigen Energy Limited ACN 105 051 616.

Dated this 24<sup>th</sup> day of December 2018



Signed by Abramo Martinelli  
as a delegate of the Australian Securities and Investments Commission

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 18-1200.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to Infigen Energy RE Limited ACN 113 813 997 as the responsible entity of the Infigen Energy Trust ARSN 116 244 118 (**IET**) as if the following provisions of that Chapter were modified or varied as follows:
  - (a) omit paragraph 601FC(1)(c) and substitute:

“(c) act in the best interests of members (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where the interests and shares are components of a stapled security) and, if there is a conflict between the members’ interests and its own interests, give priority to the members’ interests; and”;
  - (b) omit paragraph 601FC(1)(e) and substitute:

“(e) not make use of information acquired through being the responsible entity in order to:
    - (i) gain an improper advantage for itself or another person; or
    - (ii) cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where interests and shares are components of a stapled security); and”;
  - (c) omit paragraph 601FD(1)(c), 601FD(1)(d) and 601FD(1)(e) and substitute:

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- “(c) act in the best interests of members (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where interests and shares are components of a stapled security) and, if there is a conflict between the members’ interests and the interests of the responsible entity, give priority to the members’ interests; and
  - (d) not make use of information acquired through being an officer of the responsible entity in order to:
    - (i) gain an improper advantage for the officer or another person; or
    - (ii) cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where interests and shares are components of a stapled security); and
  - (e) not make improper use of their position as an officer to gain, directly or indirectly, an advantage for themselves or for any other person or to cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where interests and shares are components of a stapled security); and”;
- (d) omit paragraphs 601FE(1)(a) and 601FE(1)(b) and substitute:
- “(a) make use of information acquired through being an employee of the responsible entity in order to:
    - (i) gain an improper advantage for the employee or another person; or
    - (ii) cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where interests and shares are components of a stapled security); or
  - (b) make improper use of their position as an employee to gain, directly or indirectly, an advantage for themselves or for any other person or to cause detriment to the members of the scheme (having regard to their interests as holders of interests in the scheme and as holders of shares in a company, where interests and shares are components of a stapled security).”;
- (e) insert after subsection 208(2) of the Act as notionally inserted by section 601LC:
- “(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if:
    - (a) the benefit either:

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- (i) is given out of the scheme property of a registered scheme; or
    - (ii) could endanger the scheme property; and
  - (b) all of the interests in the scheme, together with all of the shares in a company (each a *stapled entity*), are components of stapled securities; and
  - (c) the benefit is given by:
    - (i) the responsible entity of the scheme; or
    - (ii) an entity that the responsible entity controls; or
    - (iii) an agent of, or person engaged by, the responsible entity;
  - (d) the benefit is given to:
    - (i) an entity wholly owned, whether directly or indirectly, by the scheme; or
    - (ii) a stapled entity or an entity wholly owned, whether directly or indirectly, by a stapled entity; or
    - (iii) an entity wholly owned, whether directly or indirectly, jointly by the scheme and a stapled entity.
- (2B) For the purposes of this section:
  - (a) an entity is wholly owned by another entity or entities if all of the shares or interests (as applicable) in the first-mentioned entity are held by, or held by a nominee for (in the case of the second-mentioned entity or entities being a company), or form part of the trust property of (in the case of the second-mentioned entity or entities being a trust), the second-mentioned entity or entities or a wholly owned entity of any of them; and
  - (b) a reference to the giving of a benefit to an entity which is a trust is a reference to the giving of a benefit to the trustee of the trust so as to form part of the trust property of the trust or for the benefit of the trust beneficiaries.”; and
- (f) insert after section 601PC:

“601PD For the purposes of this Chapter:

*stapled security* means two or more financial products including at least one interest in a registered scheme where:



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- (a) under the terms on which each of the financial products are to be traded, they must be transferred together; and
- (b) there are no financial products in the same class as those financial products which may be transferred separately.”.

**Where this instrument applies**

5. This instrument applies where ordinary interests in IET must, on the terms on which they may be traded, only be transferred with shares in Infigen Energy Limited ACN 105 051 616.

Dated this 24<sup>th</sup> day of December 2018



Signed by Abramo Martinelli  
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities &amp; Investments Commission

19-0001

**Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: Peter G Cameron  
ABN 65 463 877 348 ("the Licensee")  
PO Box 1452  
ARMIDALE NSW 2350

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 253100 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 2 January 2019

Signed

A handwritten signature in black ink, appearing to read 'P Schofield', written over a horizontal dotted line.

Peter Schofield  
a delegate of the Australian Securities and Investments Commission

19 - 0023

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order in the terms set out below, which order took effect on 8 January 2019.

**Australian Securities and Investments Commission  
Corporations Act 2001 section 915B**

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

To: Halifax Investment Services Pty Ltd ACN 096 980 522 (**Halifax**)

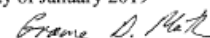
Under s915B(3)(b) of the Corporations Act 2001 (**Act**) the Australian Securities and Investments Commission (**ASIC**) suspends Australian financial services licence number 225973 (**Licence**) held by Halifax until 10 January 2020.

Under s915H of the Act ASIC specifies that the Licence continues in effect while suspended, as though the suspension had not happened for the purpose of:

- (a) Paragraphs 912A(1)(g) of the Act to the extent that it requires Halifax to have a disputes resolution system complying with s912A(2)(c) of the Act (which requires Halifax to be a member of the AFCA scheme);
- (b) Section 912B of the Act and regulations 7.6.02AAA and 7.6.02AA of the *Corporations Regulations 2001* (which require Halifax to have arrangements for compensating retail clients including the holding of professional indemnity insurance cover); and
- (c) Chapter 7 of the Act regarding the provision of a financial service to a person as a retail client or wholesale client if that person was a client immediately prior to the suspension taking effect and if the financial service concerns the termination of an existing arrangement with the client.

Dated this 7th day of January 2019

Signed



Graeme Darcy Plath  
a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001  
Section 601CL(4)

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

Dated this eleventh day of January 2019

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

<b>Name of Company</b>	<b>ARBN</b>
BUNZL AUSTRALIA FOREX LLP	162 576 703
ICAP EUROPE LIMITED	101 624 953
NICE & NATURAL LIMITED	142 184 174
RTTECH SOFTWARE INC.	615 293 304
T-C 101 MILLER STREET LLC	602 945 657
T-C 699 BOURKE STREET LLC	168 903 946
VANDERLANDE INDUSTRIES B.V.	161 122 818

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CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this eleventh day of January 2019

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

ASIA-PACIFIC MEDIA ALLIANCE FOR SOCIAL AWARENESS LTD.	605 369 819
BNP PARIBAS DEALING SERVICES ASIA LIMITED	155 996 035
FLEXIBLE LEARNING NETWORK LIMITED	155 963 250
GENESIS PERSONNEL LIMITED	620 081 950
HILITE EXPORTS LIMITED	615 760 006
WEIR POWER & INDUSTRIAL SINGAPORE PTE. LTD.	158 499 382

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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 eleventh day of January 2019

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

ARDENT LEISURE TRUST

**ARSN**

093 193 438

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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.

**BISHOP RESOURCES LIMITED** ACN 161 038 464 will change to a no liability public company. The new name will be BISHOP RESOURCES NL ACN 161 038 464.

**HAWL HEALTHCARE LIMITED** ACN 165 262 359 will change to a proprietary company limited by shares. The new name will be HAWL HEALTHCARE PTY LTD ACN 165 262 359.

**PUNCH RESOURCES LIMITED** ACN 160 022 793 will change to a proprietary company limited by shares. The new name will be PUNCH RESOURCES PTY LTD ACN 160 022 793.

**SIGNOSTICS LIMITED** ACN 081 578 378 will change to a proprietary company limited by shares. The new name will be SIGNOSTICS PTY LTD ACN 081 578 378.

**23 STRANDS LTD.** ACN 622 678 835 will change to a proprietary company limited by shares. The new name will be 23 STRANDS PTY LTD ACN 622 678 835.

**CYPRESS LAKES GROUP LIMITED**

ACN 003 621 136 will change to a proprietary company limited by shares. The new name will be CYPRESS LAKES GROUP PTY LIMITED ACN 003 621 136.

**POINTSBET HOLDINGS PTY LTD** ACN 621 179 351 will change to a public company limited by shares. The new name will be POINTSBET HOLDINGS LIMITED ACN 621 179 351.

**S - CLAVE LTD** ACN 619 606 932 will change to a proprietary company limited by shares. The new name will be S - CLAVE PTY LTD ACN 619 606 932.

**STRATA MIXED REALITY LIMITED**

ACN 615 343 032 will change to a proprietary company limited by shares. The new name will be STRATA MIXED REALITY PTY LTD ACN 615 343 032.