



**ASIC**  
Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

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# ASIC Gazette

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### RIGHTS OF REVIEW

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

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**ASIC**

Australian Securities &amp; Investments Commission

**18-1145****Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: Susan Gaye Biggar  
ABN 52 372 498 074 ("the Licensee")  
14 Matong Drive  
Ocean Shores NSW 2483

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 448420 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated *15 January 2019*

Signed *John J. Connor*

John Connor  
A delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities &amp; Investments Commission

**19-0038****Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: Matthew Ronald Leeson  
ABN 16 010 210 427 ("the Licensee")  
PO Box 1701  
TOOWOOMBA QLD 4350

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 234594 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated *18 January 2019*

Signed *John J. Connor*

John Connor

A delegate of the Australian Securities and Investments Commission

19-0050

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 741(1)(b) and 1020F(1)(c) – Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 741(1)(b) and 1020F(1)(c) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 19-0050.

**Commencement**

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

**Cessation**

4. This instrument ceases to apply 12 months after the date on which the auditor of Mirvac Limited ACN 003 280 699 (*Mirvac Limited*) and Mirvac Funds Limited ACN 002 561 640 as responsible entity of Mirvac Property Trust ARSN 086 780 645 (*Mirvac Funds*) (together, *Mirvac Group*) signs its auditor's independence declaration under section 307C of the Act in respect of the financial reports for the financial year ending 30 June 2019 for each of Mirvac Limited and Mirvac Funds.

**Declaration**

5. Chapter 6D and Part 7.9 of the Act apply to the Mirvac Group or a person who holds Mirvac Stapled Securities as if the definition of 'technical relief instrument' in section 9 of the Act as modified by *ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73* was further modified or varied by inserting the following table:

“

19.	an order under section 340 to the extent it relieves any person as auditor of the entity from the requirements of subparagraph 307C(3)(d)(ii).	
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”

**Where this declaration applies**

6. This declaration applies:
- (a) in relation to an offer:
- (i) by the Mirvac Group to issue Mirvac Stapled Securities where the issue complies with the transaction specific prospectus requirements under section

19-0050

713 and the transaction specific product disclosure statement requirements under section 1013FA of the Act;

- (ii) by the Mirvac Group to issue Mirvac Stapled Securities where the offer is made in accordance with sections 708AA and 1012DAA of the Act (as each of those sections is notionally modified by *ASIC Corporations (Non-traditional Rights Issues) Instrument 2016/84*);
- (iii) for the sale of Mirvac Stapled Securities where the sale offer complies with sections 708A and 1012DA of the Act (as each of those sections is notionally modified by *ASIC Corporations (Non-traditional Rights Issues) Instrument 2016/84*); or
- (iv) by the Mirvac Group to issue Mirvac Stapled Securities where the offer is made in reliance of *ASIC Class Order [CO 09/425]* or any subsequent disallowable legislative instrument having a similar effect; and

- (b) where no order under section 340 of the Act covers Mirvac Group or any person as director or auditor of Mirvac Limited or Mirvac Funds, except for the order made in ASIC Instrument 19-0049.

#### Interpretation

7. In this instrument:

*Mirvac Stapled Securities* means one or more stapled securities, consisting of a share in Mirvac Limited and an interest in the Mirvac Property Trust ARSN 086 780 645, such share and interest which must be transferred together under the terms on which it is traded on a prescribed financial market.

Dated this 18<sup>th</sup> day of January 2019



Signed by Dominic Clarke  
as a delegate of the Australian Securities and Investments Commission

19-0070

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

**Enabling Legislation**

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

**Title**

2. This instrument is ASIC Instrument 19-0070.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to John Bridgeman Limited ACN 603 477 185 (the *Bidder*) as if Parts 6.4 and 6.6 were modified or varied as follows:

(a) in subsection 620(2) omit “Each”, substitute “Subject to subsection (2A), each”;  
and

(b) after subsection 620(2), insert:

“Variation of bidder payment provisions

(2A) if the bidder varies the offers made under the bid in accordance with s650B(5) each offer must provide that the bidder is to pay or provide the consideration for the offer:

(a) if the bidder is given the necessary transfer documents with the acceptance before the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer in accordance with subsection 620(2) – within 7 days after the cessation of any order of the Panel which prevents the bidder paying or providing the consideration for the offer in accordance with subsection 620(2); or

(b) if the bidder is given the necessary transfer documents after the acceptance and before the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer in accordance with subsection 620(2) and the end of the bid period – within 7 days after the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer in accordance with subsection 620(2); or

- (c) if the bidder is given the necessary transfer documents after the acceptance and after the end of the bid period and before the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer in accordance with subsection 620(2) – by the end of whichever of the following periods ends later:
    - (i) 7 days after the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer in accordance with subsection 620(2); or
    - (ii) within 21 days after the end of the offer period; or
  - (d) if the bidder is given the necessary transfer documents with the acceptance after the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer in accordance with subsection 620(2) – by the end of whichever of the following periods ends earlier:
    - (i) 1 month after the offer is accepted; or
    - (ii) 21 days after the end of the offer period; or
  - (e) if the bidder is given the necessary transfer documents after the acceptance and before the end of the offer period and after the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer – whichever of the following period ends earlier:
    - (i) 1 month after the bidder is given the necessary transfer documents; or
    - (ii) 21 days after the end of the offer period; or
  - (f) if the bidder is given the necessary transfer documents after the acceptance and after the end of the bid period and after the cessation of any order of the Panel which prevents the bidder from paying or providing the consideration for the offer – within 21 days after the bidder is given the necessary transfer documents.”
- (c) after subsection 650B(4) insert:
- “Varying time for payment of consideration
- (5) The bidder may vary the offers made under the bid to extend the time for payment of the consideration if the offers are free from defeating conditions and the bidder is unable to pay the consideration in accordance with section 620(2) because of any interim order of the



Panel which prevents the bidder from processing acceptances received under the bid.”

**Where this instrument applies**

5. This instrument applies where:
- (a) The Bidder made an off-market takeover bid for all of the shares and all of the options in Benjamin Hornigold Limited ACN 614 854 045 dated 6 November 2018; and
  - (b) The Bidder made an off-market takeover bid for all the shares in Henry Morgan Limited ACN 602 041 770 dated 6 November 2018; and
  - (c) The Panel received applications from shareholders in Benjamin Hornigold Limited and Henry Morgan Limited in relation to the affairs of each company on 28 December 2018; and
  - (d) The Panel made interim orders under section 657E of the Act on 31 December 2018 in response to the applications dated 28 December 2018 ordering that the Bidder and all officers, agents or persons acting on its behalf not to take any further steps to process any acceptances received under each bid.
6. As at the date of execution of this instrument, the interim orders of the Panel referred to in paragraph 5(d) remain in force.

Dated this 24<sup>th</sup> day of January 2019



Signed by Lucy Thwaites  
as a delegate of the Australian Securities and Investments Commission



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 twenty-fifth day of January 2019

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARSN**

VESTED CAPITAL PROPERTY & FINANCE FUND

604 220 493

CORPORATIONS ACT 2001  
Section 601CC(3)

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

Dated this twenty-fifth day of January 2019

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

YWCA OF DARWIN INCORPORATED

624 438 599

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 twenty-fifth day of January 2019

Rosanne Bell  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

<b>Name of Company</b>	<b>ARBN</b>
BIZFLOW CORP.	102 986 934
DEKA AUSTRALIA ONE GMBH	133 063 733
DEKA AUSTRALIA THREE GMBH	144 566 889
KOHLER CO.	052 287 779
SOUTH EMERY CIRCLE, LLC	162 814 986
VECTORCOMMAND LIMITED	606 240 582
631604 N.B. INC.	167 246 380

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.

**BURFORD MINING AUSTRALIA LTD**

ACN 614 151 003 will change to a proprietary company limited by shares. The new name will be BURFORD MINING AUSTRALIA PTY LTD ACN 614 151 003.

**IQ WELLNESS GROUP PTY LTD** ACN 601 253 007 will change to a public company limited by shares. The new name will be IQ WELLNESS GROUP LIMITED ACN 601 253 007.

**SAMUEL AXE ENHANCED FUND LTD.**

ACN 618 988 953 will change to a proprietary company limited by shares. The new name will be SAMUEL AXE ENHANCED FUND PTY LTD ACN 618 988 953.

**WILLIAM KIDD LTD.** ACN 618 988 873 will change to a proprietary company limited by shares. The new name will be WILLIAM KIDD PTY LTD ACN 618 988 873.

**FLINDERS EXPLORATION LIMITED**

ACN 140 351 033 will change to a proprietary company limited by shares. The new name will be FLINDERS EXPLORATION PTY LTD ACN 140 351 033.

**RE PRODUCTS AUSTRALIA PTY LTD**

ACN 156 690 916 will change to a public company limited by shares. The new name will be DUX AQUACULTURE LIMITED ACN 156 690 916.

**SPAR FRESH LTD.** ACN 088 309 157 will change to a proprietary company limited by shares. The new name will be SPAR FRESH PTY LTD ACN 088 309 157.

**WOOMERA EXPLORATION LTD** ACN 150 741 352 will change to a proprietary company limited by shares. The new name will be WOOMERA EXPLORATION PTY LTD ACN 150 741 352.