



ASIC
Australian Securities &
Investments Commission

Commonwealth of Australia Gazette

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RIGHTS OF REVIEW

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

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ASIC

Australian Securities & Investments Commission

19-1132

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

Notice of Cancellation of an Australian Financial Services Licence

TO: RMB Resources Limited
ACN: 074 930 715 ("the Licensee")
GPO Box 202
SYDNEY NSW 2001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 232707 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated *7 November 2019*

Signed

John Connor

A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

19-1135

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

Notice of Cancellation of an Australian Financial Services Licence

TO: WCG Financial Solutions Pty Limited
ACN 608 170 118 ("the Licensee")
PO Box 1986
Geelong VIC 3220

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 481610 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 6 November 2019

Signed

John Connor

A delegate of the Australian Securities and Investments Commission

**ASIC**

Australian Securities & Investments Commission

19-1136

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Vived & Co. Accounting Pty Limited
ACN143 013 398 ("the Licensee")
PO Box 577
Haberfield NSW 20145

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 485717 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

6 November 2019

Signed

John Connor

A delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities & Investments Commission

19-1137

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

Notice of Cancellation of an Australian Financial Services Licence

TO: G.K. Struck Pty Ltd
ACN006 970 556 ("the Licensee")
PO Box Bannockburn VIC 3331

Pursuant to 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 489223 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 6 November 2019

Signed

John Connor

A delegate of the Australian Securities and Investments Commission

19-1151

**Australian Securities and Investments Commission
Corporations Act 2001—Paragraph 601QA(1)(a) - Exemption**

Enabling Legislation

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

Title

2. This instrument is ASIC Instrument 19-1151.

Commencement

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

Revocation

4. ASIC Instrument 19-1102 dated 1 November 2019 is revoked.

Exemption

5. Schroder Investment Management Australia Limited ACN 000 443 274 (*Responsible Entity*) in its capacity as responsible entity for the Schroder Absolute Return Income (Managed Fund) ARSN 624 529 120 (*Fund*), a Chi-X quoted managed fund, does not have to comply with paragraph 601FC(1)(d) of the *Act* to the extent that it would prevent the Responsible Entity from permitting only authorised participants to withdraw from the Fund.

Where the exemption applies

6. The exemption applies where all of the following are satisfied:
 - (a) there is a Product Disclosure Statement in relation to interests in the Fund that are investment products admitted to quotation by Chi-X that includes statements to the effect that:
 - (i) the Fund uses an absolute return focused strategy that invests in Australian and international fixed income securities. This may include corporate bonds across the credit spectrum, subordinated securities, mortgage and asset backed securities, government and quasi-government bonds, developing market debt, cash and cash equivalents. Exposure to these asset classes may be achieved directly or via an investment in the Schroder Absolute Return Income Fund (ARSN 092 060 172);
 - (ii) the Responsible Entity will not treat members of the same class equally to the extent that it restricts withdrawal from the Fund to authorised participants;

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- (iii) except in exceptional circumstances only authorised participants may withdraw their interests from the Fund, but other members may sell their interests on the Chi-X Market;
- (iv) when interests in the Fund are suspended from trading on the Chi-X Market for more than 5 consecutive Business Days, members have a right to withdraw from the Fund and receive payment for their interests in money within a reasonable time of request unless any of the following apply:
 - (A) the Fund is being wound-up;
 - (B) the Fund is not liquid as defined in subsection 601KA(4) of the Act;
 - (C) the Responsible Entity suspends withdrawals in accordance with the constitution;
- (b) the constitution of the Fund does not permit a withdrawal fee per interest in the Fund to be payable by a member who is not an authorised participant that is greater than the withdrawal fee per interest that would generally be payable by an authorised participant receiving redemption proceeds in cash while interests in the Fund are quoted when withdrawing the minimum parcel; and
- (c) ASIC has not notified the Responsible Entity in writing that it is excluded from reliance on the exemption.

Note: Subparagraph 5(b) applies regardless of whether the withdrawal fees for the Fund are calculated on a per interest basis or otherwise.

Interpretation

7. In this instrument:

admitted to quotation means admitted to quotation pursuant to rule 14.9 of the Chi-X Operating Rules.

Australian resident for tax purposes means, for a particular financial year, a person who is an Australian resident for the purposes of the *Income Tax Assessment Act 1997* for the whole of that financial year.

authorised participant means, in relation to the Fund, a person who:

- (a) has an agreement with the Responsible Entity of the Fund in relation to making applications to acquire and withdraw interests in the Fund; and
- (b) has notified the Responsible Entity in writing that the person expects they will be an Australian resident for tax purposes for the financial year of the Fund in

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which the notification is made and for each subsequent financial year, and has not subsequently notified the Responsible Entity to the contrary; and

- (a) is either a Trading Participant or has engaged a Trading Participant to act on its behalf to acquire and dispose of interests in the Fund.

Business Day has the same meaning as in the Chi-X Operating Rules.

Chi-X means Chi-X Australia Pty Limited (ACN 129 584 667).

Chi-X Market means the financial market operated by Chi-X under *Australian Market Licence (Chi-X Australia Pty Ltd) 2011*.

Chi-X Operating Rules means the operating rules of the Chi-X Market.

quoted managed fund has the same meaning as in the Chi-X Operating Rules.

investment product has the same meaning as in the Chi-X Operating Rules.

minimum parcel means the smallest number or value of interests in the Chi-X quoted managed fund that are generally permitted to be withdrawn from the Chi-X quoted managed fund by an authorised participant while interests in the Chi-X quoted managed fund are quoted.

Trading Participant has the same meaning as that given to 'participant' in the Chi-X Operating Rules.

withdrawal fee per interest means, in relation the Fund, the fee that is payable in relation to a withdrawal from the Fund divided by the number of interests in the Fund to which the withdrawal relates.

Dated this 8th day of November 2019



Signed by Davis Zhang

As a delegate of the Australian Securities and Investments Commission

19-1153

**Australian Securities and Investments Commission
Corporations Act 2001 – Paragraph 1020F(1)(a) – Exemption**

Enabling provisions

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 1020F(1)(a) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Instrument 19-1153.

Commencement

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

Exemptions

4. Suncorp Group Limited (ACN 145 290 124) (*Suncorp*) does not have to comply with Division 5A of Part 7.9 of the Act in relation to unsolicited offers it makes to Eligible CPS3 Holders to participate in the Reinvestment Offer.

Conditions of the relief

5. In order to rely on the exemption in paragraph 4, the Reinvestment Offer must remain open for the period described in the Prospectus unless the Capital Notes 3 offer is withdrawn.
6. Suncorp must give or send to each Eligible CPS3 Holder, a copy of the Prospectus which complies with paragraph 7, by:
 - a. giving the Prospectus to the Eligible CPS3 Holder; or
 - b. sending the Prospectus:
 - i. by post to the address for the Eligible CPS3 Holder in the Register of Members or an alternative address (if any) nominated by the Eligible CPS3 Holder; or
 - ii. to the fax number or electronic address (if any) nominated by the Eligible CPS3 Holder; and
7. The Prospectus must contain the following statements and information:
 - a. a statement that the Reinvestment Offer is open until the closing date set out in the Prospectus; and

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- b. information about the minimum and maximum number (if any) of CPS3 a participating Eligible CPS3 Holder can elect to participate in the Reinvestment Offer; and
- c. a statement that the market price of CPS3 is subject to change from time to time; and
- d. a statement that an Eligible CPS3 Holder may be able to sell or dispose of their CPS3 at a price higher or lower than the price they would receive if they were to participate in the Reinvestment Offer; and
- e. information about how to obtain up-to-date information on the market price of CPS3; and
- f. information about any other significant characteristics or features of the Reinvestment Offer or of the rights and obligations of Eligible CPS3 Holders who elect to participate in the Reinvestment Offer; and
- g. information about any alternatives that the Eligible CPS3 Holder may have to participating in the Reinvestment Offer.

Interpretation

In this instrument:

Capital Notes 3 means fully paid, subordinated, perpetual, redeemable, resalable, convertible, unguaranteed and unsecured notes to be issued by Suncorp under the Prospectus.

CPS3 means the convertible preference shares issued by Suncorp on or about 8 May 2014 that are trading on ASX under the code "SUNPE".

Eligible CPS3 Holder means a CPS3 holder who is a registered holder of CPS3 at 7.00pm (Sydney time) on 6 November 2019, shown on the Register of Members as having an address in Australia and not in the United States or acting for the account or benefit of a person in the United States.

Prospectus means the prospectus for the Capital Notes 3 (including the Reinvestment Offer) to be lodged with ASIC on or about 11 November 2019 and which is in substantially the same form and terms as that provided to ASIC on 28 October 2019.

Register of Members means the register of members of Suncorp required to be set up and maintained under section 169 of the Act.

Reinvestment Offer means the reinvestment offer as described in the Prospectus.

19-1153

Dated this 8th day of November 2019

A handwritten signature in black ink, appearing to read 'Gloria Yip', written in a cursive style.

Signed by Gloria Yip
as a delegate of the Australian Securities and Investments Commission

19-1156

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 19-1156.

Commencement

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

Declarations

4. Chapters 6 and 6C of the Act apply to Nuchev Limited ACN 163 225 090 (*Nuchev*) as if section 609 were modified or varied by, after subsection (13) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

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

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

“; or
(d) subsection 609(13A) (securities subject to escrow arrangement).”.

Where this instrument applies

7. This instrument applies in relation to relevant interests Nuchev has in securities of Nuchev (*Escrowed Securities*) merely because Nuchev has entered into an escrow deed (*Initial Escrow Arrangement*) with a *Security Holder* in

19-1156

connection with the proposed admission of Nuchev's securities to the official list of the Australian Securities Exchange (*ASX*), or later enters into an escrow deed (*Secondary Escrow Arrangement*) with an entity in the same Wholly-owned Corporate Group, where each Escrow Arrangement:

- (a) does not restrict the exercise of voting rights attaching to, the Escrowed Securities;
- (b) in the case of a takeover bid (including a proportional takeover bid):
 - (i) allows each Security Holder to accept into the takeover bid where holders of at least half of the bid class securities that are not subject to an Escrow Arrangement have accepted into the bid; and
 - (ii) requires that the Escrowed Securities be returned to escrow if the bid does not become unconditional;
- (c) allows the Escrowed Securities to be transferred or cancelled as part of a merger by way of compromise or arrangement under Part 5.1 of the Act;
- (d) terminates on the date that the preliminary financial report of Nuchev for the financial year ending 30 June 2020 is provided to the ASX; and
- (e) is substantially in the same form as the draft agreement provided to ASIC on 16 October 2019.

Interpretation

8. In this instrument:

Escrow Arrangement means an Initial Escrow Arrangement or a Secondary Escrow Arrangement;

Security Holder means each of the following persons who hold shares in Nuchev:

- i. Ben McFarlane Dingle;
- ii. 402339 Pty Ltd ACN 606 619 372 as trustee for Whiti Trust;
- iii. Snowflake Holdings Pte. Ltd. (incorporated under the laws of Singapore);
- iv. ADM Galleus Fund II Limited (incorporated under the laws of the Cayman Islands);
- v. CW Investment Holdings Pty Ltd ACN 609 581 197 as trustee for CW Investment Holdings Trust;

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- vi. Kirwood Capital Direct Investments 1 Pty Ltd ACN 623 276 415 as trustee for the Kirwood Capital Direct Investments 1 Trust;
- vii. Ryder Pic Pty Ltd ACN 150 171 912;
- viii. HSBC Custody Nominees (Australia) Limited ACN 003 094 568;
- ix. Thomas Edward Dingle and Patricia Jessie Dingle as trustees for Clyde Hill Trust;
- x. Justin Breheny;
- xi. Breheny Enterprises Pty Ltd ACN 168 431 801 as trustee for Breheny Investments Trust;
- xii. BK Custodian Pty Ltd ACN 117 953 349 as trustee for Earle/Blackwell Family Trust;
- xiii. DS Capital Pty Ltd ACN 156 001 919 as trustee for DS Capital Growth Fund;
- xiv. Breheny Corporation Pty Ltd ACN 168 431 856 as trustee for the Breheny Family Fund;
- xv. Parc Ferme Pty Ltd ACN 105 898 888 as trustee for The Forbes Family Superannuation Fund;
- xvi. Andsel Pty Ltd ACN 118 354 877 as trustee for Tracey Family Superannuation Fund;
- xvii. CC Strategic Partners Limited (incorporated under the laws of Hong Kong);
- xviii. Alexander Capital Investment Pty Ltd ACN 116 818 896;
- xix. BK Custodian Pty Ltd ACN 117 953 349 as trustee for Earle/Blackwell Superannuation Fund;
- xx. Jacqueline Investments Pty Ltd ACN 000 456 137;
- xxi. Lily Investment (Australia) Pty Limited ACN 114 173 367;
- xxii. Jeffrey Martin;
- xxiii. Michelle Terry;

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- xxiv. Matterhorn Nutrition Pty Ltd ACN 122 600 784 as trustee for Bella Coola Trust;
- xxv. Jeffrey William Martin as trustee for The Martin & Co Family Trust;
- xxvi. Rosan Enterprises Pty Ltd ACN 158 513 225 as trustee for Riccardo Mecchi Super Fund;
- xxvii. Ruapehu Holdings Pty Ltd ACN 140 918 994 as trustee for Ruapehu Trust;
- xxviii. Alan Gordon Terry and Patricia Anne Terry as trustees for Terry Superannuation Fund;
- xxix. TFFT Pty Ltd ACN 116 552 866 as trustee for the Tracey Family Trust;
- xxx. Lara Lasnitzki;
- xxxi. Hilary Chapman Pty Ltd ACN 114 004 741 as trustee for Chapman Discretionary Trust;
- xxxii. BTKT Pty Ltd ACN 092 988 791 as trustee for Treloar Family Trust;
- xxxiii. Jenny & Daughters Pty. Ltd ACN 008 078 091 as trustee for Jenny's Family Trust;
- xxxiv. UBR Nominees Pty Ltd ACN 110 229 617 as trustee for Raetze Superannuation Fund;
- xxxv. Greenstone Partners Pty Limited ACN 104 143 562;
- xxxvi. Selina Lightfoot;
- xxxvii. Darryl Lasnitzki;
- xxxviii. Tom Dingle; and
- xxxix. Matthew Scarboro.

Wholly-owned Corporate Group in relation to a Security Holder that is a body corporate means each of the following:

- (a) each Wholly-owned Subsidiary of the Security Holder;

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- (b) each body corporate in respect of which the Security Holder is a Wholly-owned Subsidiary; and
- (c) each body corporate that is a Wholly-owned Subsidiary of an entity mentioned in paragraph (a) or (b).

Wholly-owned Subsidiary has the meaning in section 9 of the Act.

Dated this 11th day of November 2019



Signed by Sabrina Mobbs
as a delegate of the Australian Securities and Investments Commission

19-1157

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 8 November 2019

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**IN THE MATTER OF LAWRENCE DEAN O'NEILL
AND THE CORPORATIONS ACT 2001****To: Mr Lawrence Dean O'Neill****BANNING ORDER UNDER SECTIONS 920A and 920B OF THE CORPORATIONS
ACT 2001**

TAKE NOTICE that under sections 920A and 920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Lawrence Dean O'Neill from providing any financial services for 4 years.

Dated this 29th day of October 2019.

Signed: 
Melanie Baxter
Delegate of the Australian Securities and Investments
Commission.

Your attention is drawn to subsection 920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of subsection 920C (2) is an offence.

19-1163

**Australian Securities and Investments Commission
Corporations Act 2001 – Subsection 601QA(1) – Variation**

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 19-1163.

Commencement

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

Variation

4. ASIC Instrument [19-0979] is varied by omitting:

“Ineligible Foreign Securityholder means a holder of one or more interests in Aveo Group Trust whose address shown in the Aveo Group Trust register (as at the Record Date) is in a jurisdiction other than Australia, New Zealand, Malaysia, British Virgin Islands or Bermuda, unless BidCo and Aveo agree in writing that it is lawful and not unduly onerous or impracticable to issue the person with interests in AOG L.P. when the Trust Scheme is implemented.”

and substituting:

“Ineligible Foreign Securityholder means a holder of one or more interests in Aveo Group Trust whose address shown in the Aveo Group Trust register (as at the Record Date) is in any jurisdiction other than Australia, New Zealand (where the holder of an Aveo Stapled Security is a “wholesale investor”, as defined in the *Financial Markets Conduct Act 2013* (New Zealand)), Malaysia, British Virgin Islands or Bermuda, unless BidCo and Aveo agree in writing that it is lawful and not unduly onerous or impracticable to issue the person with interests in AOG L.P. when the Trust Scheme is implemented.”

19-1163

Dated this 13th day of November 2019

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

Signed by Juhyun Pak
as a delegate of the Australian Securities and Investments Commission

19-1166

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 19-1166.

Commencement

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

Declaration

4. Chapter 6 of the Act applies to a holder of ordinary shares in Energy Resources of Australia Ltd ACN 008 550 865 (*ERA*) as if Part 6.2 of the Act were modified or varied by inserting the following after item 10 of section 611:

"Shortfall issues

10AA An acquisition that results from an issue of securities that satisfies all of the following conditions:

- (a) a company offers to issue securities in a particular class;
- (b) offers are made on condition that the securities to which the offers relate may only be issued where an offer of the securities has first been made to, but not accepted by, a holder of securities in that class (or their assignee) under an offer referred to in item 10 (*Item 10 Offers*);
- (c) offers are made to every person to whom the Item 10 Offers are made and are not made to any other person;

Note: the Item 10 Offers need not be made to every person who holds securities in the class: see section 615.
- (d) all of those persons have a reasonable opportunity to accept the offers made to them;
- (e) agreements to issue the securities are not entered into until the specified time for acceptances of the Item 10 Offers has closed;
- (f) the terms of all the offers are the same; and
- (g) the securities are offered at the same price per security as the securities offered under the Item 10 Offers."

19-1166

Where this instrument applies

5. This declaration applies to an acquisition of a relevant interest in ordinary shares in ERA (*Shares*) as a result of the acceptance of an offer (*Shortfall Offer*) of those Shares that are not applied for under a rights issue of Shares made on or about 15 November 2019, where:
- (a) the offer period for the Shortfall Offers is the same as the offer period for the rights issue;
 - (b) Shares offered under the Shortfall Offers are issued at or about the same time as Shares offered under the rights issue;
 - (c) the Shortfall Offers are subject to a condition to the effect that if ERA receives applications for Shares under the Shortfall Offers that in aggregate are more than the total number of Shares that have not been applied for under the rights issue (*Shortfall*), then the applications under the Shortfall Offers will be scaled back:
 - i. on a pro-rata basis, according to the relative number of Shares held by each applicant under the Shortfall Offers on the record date for the rights issue;
 - ii. so that the maximum number of Shares to be issued under the Shortfall Offers does not exceed the Shortfall; and
 - iii. so that no person will be issued with more than the number of Shares they applied for under the Shortfall Offers; and
 - (d) Rio Tinto Limited ACN 004 458 404 and its associates do not participate in the Shortfall Offer.

Dated this 13th day of November 2019

Signed by Sabrina Mobbs
as a delegate of the Australian Securities and Investments Commission

19-1170

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 19-1170.

Commencement

3. This instrument commences on 14 November 2019.

Declaration

4. Chapter 6 of the Act applies to Melbana Energy Limited ACN 066 447 952 (the *Bidder*) as if:
 - (a) subsection 630(3) were modified or varied by inserting after “subsection (1) or (2)” the words “(having regard to any extension of the offer under subsection 650C(3))”; and
 - (b) subsection 650C were modified or varied by inserting after subsection 650C(2):

“(3) Notwithstanding subsection (2), if the bid is subject to a defeating condition and the bidder has failed to, in relation to a purported notice of variation under section 650D(1), include the information required under subsection 650D(1)(a)(ii), the bidder may extend the offer period after the date of that purported notice of variation if the bidder has not previously extended the offer period under this subsection.”; and
 - (c) subsection 650G(b) were modified or varied by inserting after “subsection 630(1) or (2)” the words “(having regard to any extension of the offer under subsection 650C(3))”.

Where this declaration applies

5. This declaration applies where:
 - (a) the Bidder has made an off-market takeover bid (*Bid*) for all of the ordinary shares in Metgasco Limited ACN 088 196 383 (*Target*);

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- (b) the Bidder purported to extend the offer period of the Bid on 7 November 2019 but omitted the information required under subsection 650D(1)(a)(ii);
- (c) the Bidder has:
 - (i) prepared a notice:
 - (1) extending the offer period of the Bid to 13 December 2019;
 - (2) stating that the new date for giving notice of the status of conditions to which the offer is subject is 5 December 2019;
 - (3) informing people about the right to withdraw acceptances under section 650E; and
 - (4) explaining the circumstances which led to, and the effect of, this instrument of relief;
 - (the *Notice*);
 - (ii) lodged the Notice with ASIC; and
 - (iii) given the Notice to:
 - (1) the Target;
 - (2) ASX Limited ACN 008 624 691; and
 - (3) everyone to whom offers were made under the Bid.

Dated this 14th day of November 2019



Signed by Priti Joshi
as a delegate for the Australian Securities and Investments Commission

19-1172

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 12 November 2019.

Australian Securities and Investments Commission

In the matter of Wendy Michelle Chapman

**Banning order under sections 920A and 920B
of the Corporations Act 2001**

To: Wendy Michelle Chapman

Take notice that under sections 920A(1) and 920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Wendy Michelle Chapman from providing any financial services for a period of five (5) years.

Dated this 1st day of November 2019.

Signed: 
Gai Di Barolomeo
Delegate of the Australian Securities and Investments
Commission

Your attention is drawn to subsection 920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of subsection 920C(2) is an offence.

19-1173

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 8 November 2019.

Australian Securities and Investments Commission

In the matter of Peter Jianchao XU

**Banning order under sections 920A and 920B
of the Corporations Act 2001**

To: Peter Jianchao Xu

Take notice that under sections 920A(1) and 920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Peter Jianchao Xu from providing any financial services for a period of five (5) years.

Dated this 18th day of October 2019.

Signed: 

Gai Di Bartolomeo

Delegate of the Australian Securities and Investments
Commission

Your attention is drawn to subsection 920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of subsection 920C(2) is an offence.

19-1174

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

Enabling legislation

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

Title

2. This instrument is ASIC Instrument 19-1174.

Commencement

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

Declarations

4. Chapters 6 and 6C of the Act apply to Tyro Payments Limited ACN 103 575 042 (*Tyro*) as if section 609 were modified or varied by, after subsection (13) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

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

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

“; or
(d) subsection 609(13A) (securities subject to escrow arrangement).”.

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Where this instrument applies

7. This instrument applies in relation to relevant interests Tyro has in securities of Tyro (*Escrowed Securities*) merely because Tyro has entered into an escrow deed (*Initial Escrow Arrangement*) with a *Security Holder* in connection with the proposed admission of Tyro's securities to the official list of the Australian Securities Exchange (*ASX*), or later enters into an escrow deed (*Secondary Escrow Arrangement*) with an entity in the same Wholly-owned Corporate Group, where each Escrow Arrangement:
- (a) does not restrict the exercise of voting rights attaching to, the Escrowed Securities;
 - (b) in the case of a takeover bid (including a proportional takeover bid):
 - (i) allows each Security Holder to accept into the takeover bid where holders of at least half of the bid class securities that are not subject to an Escrow Arrangement have accepted into the bid; and
 - (ii) requires that the Escrowed Securities be returned to escrow if the bid does not become unconditional;
 - (c) allows the Escrowed Securities to be transferred or cancelled as part of a merger by way of compromise or arrangement under Part 5.1 of the Act;
 - (d) terminates on the date that the financial results of Tyro for the financial year ending 30 June 2020 are released to the ASX; and
 - (e) is substantially in the same form as the draft agreement provided to ASIC on 15 November 2019.

Interpretation

8. In this instrument:

Escrow Arrangement means an Initial Escrow Arrangement or Secondary Escrow Arrangement.

Security Holder means each of the following persons who hold shares in Tyro:

- (a) Michael Cannon-Brookes;
- (b) Grokco Pty Ltd ACN 108 337 104;
- (c) Abyla Pty Ltd ACN 119 827 593;
- (d) Tiger Global Investments (Internet Fund III Pte. Ltd. (Registration No. 201425868R) a company incorporated under the laws of Singapore);
- (e) TDM Growth Partners Pty Ltd ACN 133 246 330;
- (f) Albert Investments Pty. Limited ACN 008 389 393;
- (g) Andansa Pty Ltd ACN 003 198 963;

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- (h) Australian Philanthropic Services Limited ACN 155 905 829 as trustee for APS Foundation;
- (i) B.T.E Investments Pty. Limited ACN 089 613 338;
- (j) Barana Capital Pty Limited ACN 058 056 634;
- (k) Barbara Joan Auswild;
- (l) Ben Barzach;
- (m) Bendalong Group Pty Ltd ACN 602 490 504 as trustee for Backbeach Trust;
- (n) Marc Ethan Berman as trustee for the Berman Family First Trust;
- (o) Marc Ethan Berman as trustee for the Berman Family Second Trust;
- (p) Marc Ethan Berman as trustee for the Berman Family Third Trust;
- (q) BITI Pty Limited ACN 137 543 787;
- (r) Cherryoak Investments Pty Ltd ACN 101 363 642;
- (s) Dadiaso Holdings Pty. Ltd. ACN 003 784 754;
- (t) Edwina Louise Macarthur-Stanham;
- (u) F.N.L. Investments Pty. Limited ACN 008 437 750;
- (v) Gorann Pty Ltd ACN 001 071 576;
- (w) Grant Bourke;
- (x) HBIH Investments Pty Ltd ACN 606 261 830 as trustee for HBIH Investment Unit Trust;
- (y) Hedley and Beverley Sandler as trustee for H and B Sandler Superannuation Fund;
- (z) Howarth Commercial Pty Limited ACN 626 956 198;
- (aa) Howarth PAF Pty Limited ACN 612 582 064 as trustee for the Howarth Charitable Fund;
- (bb) J&J Sandler Super Pty Ltd ACN 611 984 126;
- (cc) Jason Aron Sandler;
- (dd) Jesinta Pty. Limited ACN 086 610 997;
- (ee) John Gregory Macarthur-Stanham;
- (ff) Joseph Nominees Pty Ltd ACN 002 105 348 as trustee for the Raynesford Superannuation Fund;
- (gg) M. Moo Pty Limited ACN 137 899 006;
- (hh) Macarthur-Stanham Holdings Pty Ltd ACN 000 263 918;
- (ii) Macleod Smith Foundation Pty Limited ACN 606 020 857 as trustee for The Macleod Smith Foundation;
- (jj) Madleowill Investments Pty. Ltd. ACN 140 947 584;
- (kk) Marc E Berman and Fiona M Hollands;
- (ll) Maria Christina Peterson;
- (mm) MIIT Pty Limited ACN 137 544 159;
- (nn) Newtown Dyers & Bleachers Pty Ltd ACN 000 070 146;
- (oo) NGB Ventures Pty Ltd ACN 115 982 986;
- (pp) Orda Investments Pty Limited ACN 134 561 078;
- (qq) P.J. Ryan's Hotels (Administration) Pty Limited ACN 003 957 560;
- (rr) Peter David Wade as trustee for the Wade Family Trust;
- (ss) Peter David Wade as trustee for the Wade Super Fund;
- (tt) Peterson's Vitamins Pty Ltd ACN 001 626 651 as trustee for Peterson's Vitamins Super Scheme;
- (uu) Prestim Pty Ltd ACN 003 396 754;

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- (vv) Raynesford Investments Pty Ltd ACN 001 161 897;
- (ww) RBFI Holdings Pty. Limited ACN 613 326 257 as trustee for The RBFI Super Fund;
- (xx) RBFI Holdings Pty. Limited ACN 613 326 257 as trustee for The RBFI Trust;
- (yy) Sandini Pty Ltd ACN 008 921 417;
- (zz) Shand Foundation Pty Limited ACN 169 595 091 as trustee for Shand Foundation;
- (aaa) Snow Peak Capital Pty Limited ACN 613 740 239 as trustee for The Cowan Family Trust;
- (bbb) Super Saiyan Holdings Pty. Limited ACN 620 847 449 as trustee for Simon Family Trust;
- (ccc) T.A.H Investments Pty Ltd ACN 608 273 810 as trustee for Wategos Trust;
- (ddd) TDM Charitable Foundation Pty Limited ACN 612 892 770 as trustee for TDM Charitable Foundation;
- (eee) TDM Superannuation Pty Ltd ACN 615 749 552 as trustee for TDM Superannuation Fund;
- (fff) TDMAM Pty Ltd ACN 107 851 730;
- (ggg) Timbina Pty. Limited ACN 082 965 419 as trustee for Timbina Superannuation Fund;
- (hhh) Timothy Andrew Roberts;
- (iii) Traxis Pty Ltd ACN 128 293 774 as trustee for the Prunty Family Trust;
- (jjj) Uvira Superannuation Pty Limited ACN 113 973 747;
- (kkk) Weewac Pty Ltd ACN 083 007 194 as trustee for Warrior Super Fund;
- (lll) Zoolander Investments Pty Ltd ACN 112 486 110 as trustee for The Mandalay Trust;
- (mmm) David Fite;
- (nnn) Danita Lowes;
- (ooo) Sophia-Konstantina Fiona Stollmann; and
- (ppp) Hans-Josef Jost Stollmann.

Wholly-owned Corporate Group in relation to a Security Holder that is a body corporate, means each of the following:

- (a) each Wholly-owned Subsidiary of the Security Holder;
- (b) each body corporate in respect of which the Security Holder is a Wholly-owned Subsidiary; and
- (c) each body corporate that is a Wholly-owned Subsidiary of an entity mentioned in paragraph (a) or (b).

Wholly-owned Subsidiary has the meaning in section 9 of the Act.

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Dated this 15th day of November 2019

A handwritten signature in black ink, appearing to be 'S Mobbs', written in a cursive style.

Signed by Sabrina Mobbs
as a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001
Section 601CL(5)

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

Dated this fifteenth day of November 2019

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
DIGITAL CROWN HOLDINGS PTE LIMITED	102 320 758
GOOD SIGHT COMPANY LTD	002 175 840
LLOYD'S REGISTER ASIA	106 288 519
PGG WRIGHTSON LIMITED	088 645 989
PMK GRAINS PRIVATE LIMITED	621 964 663
ROTHSCHILD & CO WEALTH MANAGEMENT HONG KONG LIMITED	620 029 772

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 fifteenth day of November 2019

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

ARBN

AMDOCS SINGAPORE PTE. LTD.

618 819 864

ART & ALLPOSTERS INTERNATIONAL, INC.

164 861 278

HEARTWARE INTERNATIONAL, INC.

132 897 762

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 fifteenth day of November 2019

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
AGED CARE QUEENSLAND INCORPORATED	142 528 970
ASIAN RHINO PROJECT INC.	116 937 627
ICABIN CREW CONNECT INC.	167 308 965

CORPORATIONS ACT 2001
Subsection 601PB(2)

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

Dated this fifteenth day of November 2019

Rosanne Bell
DELEGATE OF
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
BT EXTERNAL AUSTRALIAN SHARES 17	140 394 887
CAPE PARKS FUND	145 938 914
JANUS HENDERSON GLOBAL RESEARCH CORE LOWER TRACKING ERROR FUND	156 028 214
LEGG MASON WESTERN ASSET CASH FUND	088 670 080
ZURICH INVESTMENTS EQUITY INCOME SCHEME	121 589 035
1997 TIMBERCORP EUCALYPTS PROJECT	112 309 234
1998 TIMBERCORP EUCALYPTS PROJECT	112 309 216
1999 TIMBERCORP EUCALYPTS PROJECT	085 827 872
2000 TIMBERCORP EUCALYPTS PROJECT	091 172 093
2001 TIMBERCORP ALMOND PROJECT	095 649 746
2001 TIMBERCORP EUCALYPTS PROJECT	094 382 000

2001 TIMBERCORP OLIVE PROJECT	094 382 082
2002 TIMBERCORP ALMOND PROJECT	099 611 935
2002 TIMBERCORP EUCALYPTS PROJECT	098 233 571
2002 TIMBERCORP OLIVE PROJECT	098 233 455
2003 TIMBERCORP ALMOND PROJECT	103 197 299
2003 TIMBERCORP EUCALYPTS PROJECT	103 183 446
2003 TIMBERCORP OLIVE PROJECT	104 648 473
2004 TIMBERCORP (SINGLE PAYMENT) TIMBERLOT PROJECT	108 336 830
2004 TIMBERCORP ALMOND PROJECT	108 336 670
2004 TIMBERCORP CITRUS PROJECT	108 887 538
2004 TIMBERCORP EUCALYPTS PROJECT	108 099 645
2004 TIMBERCORP OLIVE PROJECT	108 744 378
2004 TIMBERCORP TABLE GRAPE PROJECT	108 648 086
2005 TIMBERCORP (SINGLE PAYMENT) TIMBERLOT PROJECT	111 683 491
2005 TIMBERCORP ALMOND PROJECT	112 935 092
2005 TIMBERCORP CITRUS PROJECT	114 091 299
2005 TIMBERCORP TABLE GRAPE PROJECT	113 512 226
2006 TIMBERCORP ALMOND PROJECT	118 387 974

2006 TIMBERCORP OLIVE PROJECT	119 182 179
2007/2008 TIMBERCORP (SINGLE PAYMENT) TIMBERLOT PROJECT	122 510 981
2007 TIMBERCORP ALMOND PROJECT	122 511 040
2007 TIMBERCORP OLIVE PROJECT	123 155 715
2008 TIMBERCORP OLIVE PROJECT	129 307 722

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.

BREWDOG GROUP AUSTRALIA PTY LTD

ACN 623 403 841 will change to a public company limited by shares. The new name will be BREWDOG GROUP AUSTRALIA LIMITED ACN 623 403 841.

MILLBROOK FUNDS LTD ACN 149 711 419 will change to a proprietary company limited by shares. The new name will be MILLBROOK FUNDS PTY LTD ACN 149 711 419.

LATITUDE 28 PRODUCE PTY. LTD.

ACN 617 839 988 will change to a public company limited by shares. The new name will be LATITUDE 28 PRODUCE LIMITED ACN 617 839 988.

WESTCANN HOLDINGS PTY LTD

ACN 634 349 705 will change to a public company limited by shares. The new name will be WESTCANN HOLDINGS LIMITED ACN 634 349 705.