



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

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

## **Enabling Legislation**

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

#### Title

This instrument is ASIC Instrument 19-1178.

#### Commencement

This instrument commences on the day it is signed.

#### Exemption

 Theta Asset Management Limited (*Theta*) in its capacity as responsible entity of Australian Corporate Bond Trust ARSN 603 010 779 (*Scheme*) does not have to comply with subsection 1016B(1) of the Act.

#### Where this instrument applies

 This instrument applies in relation to an application made in response to a Product Disclosure Statement (PDS) for a Quoted Unit, for as long as the conditions in paragraph 6 are met.

#### Conditions

- Theta must:
  - (a) ensure the PDS for the relevant class of Quoted Units includes the Key Financial Ratios for the relevant Issuing Body; and
  - (b) lodge the PDS for the relevant class of Quoted Units with ASIC at the same time as (or, where not practicable, as proximate as practicable to the time) an application is made to ASX for that class of Quoted Units to be admitted to Trading Status on the AQUA Trading Market; and
  - (c) only issue units in the relevant class of Quoted Units if ASX has confirmed admission to Trading Status on the AQUA Trading Market.

#### Interpretation

In this instrument:

AQUA Trading Market means the market operated by ASX under Schedule 10A of the operating rules of ASX (as amended from time to time).

ASX means ASX Limited ACN 008 624 691.

Issuing Body means a listed entity that is a constituent member of the S&P/ASX 200 index or a subsidiary of such an entity.

**Key Financial Ratios** means the ratios prescribed in regulation 6D.2.06 of the Corporations Regulations 2001, calculated in accordance with that regulation based on the most recent financial statements of the relevant Issuing Body.

**Quoted Units** means a unit in the Scheme that is admitted to Trading Status on the AQUA Trading Market and which provides exposure to an individual Underlying Bond.

Trading Status has the same meaning as given in the operating rules of ASX.

Underlying Bond means a bond that is issued by an Issuing Body, is denominated in Australian dollars, and that is either:

- (a) a senior unsecured bond that ranks at least parri passu with all other senior unsecured creditors; or
- (b) a senior secured bond.

Dated this 20th day of November 2019

Signed by Thomas Hough





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

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

TO: Christiane Chen ABN 33 238 819 919 ("the Licensee") 88A Tunstall Road DONVALE VIC 3111

6 February 2020

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 387220 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

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

TO: 151 Property Core Plus Management Limited ACN 117 117 638 ("the Licensee") 151 Property Level 6 151 Castlereagh Street Sydney NSW 2000

6 February 2020

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 296858 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

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

TO: KK Consulting Services Pty. Ltd. ACN 611 812 303 ("the Licensee") PO Box 5058 Brandon Park VIC 3150

6 February 2020

Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 486350 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

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

TO: Mid North Coast Financial Planning Pty Limited

6 February 2020

ACN: 127 803 203 ("the Licensee")

PO Box 5086

HALLIDAYS POINT NSW 2430

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 478308 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

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

TO: Magdy Yousef ABN 61 279 670 031 ("the Licensee") 41 Lynton Court Greenvale VIC 3059

6 February 2020

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 455680 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Charlotte Hazel Hade

ABN: 79 970 067 298 ("the Licensee")

6 February 2020

60 Merimist Way

KIELS MOUNTAIN QLD 4559

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 489138 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Bernie Lewis Insurance Services Pty Ltd ACN 160 446 211 ("the Licensee") 200 South Road Mile End SA 5031

6 February 2020

Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 434087 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

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

TO: Primestock Capital Pty Ltd ACN: 128 797 624 ("the Licensee") HWT Tower, Level 17 40 City Road SOUTHBANK VIC 3006

6 February 2010

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 434979 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Schoenmaekers Pty. Ltd.

ACN: 158 993 447 ("the Licensee")

14 Kirribilli Ave

KEYSBOUROUGH VIC 3173

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 489181 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

6 February 2020

Signed

John Connor





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

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

TO: Sanders SMSF Advice Pty Ltd ACN 611 395 316 ("the Licensee") 457 Glynburn Road Leabrook SA 5068

Pursuant to 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 487698 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

6 February 2020

John Connor





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Peter James Heaslop
ABN 40 470 748 202 ("the Licensee")
57 Esplanade
Tin Can Bay QLD 4580

6 February 2010

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 483626 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

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

TO: DynamicSMSF Pty Ltd ACN 612 033 191 ("the Licensee") 91 Telopea Street Redfern NSW 2016

6 February 2020

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 488994 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: F.D. Browne and Co Pty Limited ACN: 002 590 632 ("the Licensee") PO Box 5105 WHEELER HEIGHTS NSW 2097

6 February 2020

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 267437 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor





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

# Notice of Cancellation of an Australian Financial Services Licence

TO: Equity Management Pty Ltd ACN 000 729 966 ("the Licensee") PO Box 328 Edgecliff NSW 2027

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 253135 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

Signed

John Connor

6 February 2020





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

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

TO: Anne Marilyn Mologousis ABN 20 721 612 521 ("the Licensee") PO Box 680 Croydon VIC 3136

Pursuant to paragraph 915B(1)(e) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 488541 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

2 February 2020

Signed

John Connor





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

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

FO: Global Trading Strategies Investment Management Pty Limited ACN134 846 147 ("the Licensee") 30 Springdale Road Killara NSW 2071

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 339621 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated

10 February 2020

Signed

John Connor

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

#### **Enabling provisions**

 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 20-0109.

#### Commencement

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

#### Exemptions

 Macquarie Bank Limited (ACN 008 583 542) (MBL) does not have to comply with Division 5A of Part 7.9 of the Act for unsolicited offers it makes to Eligible BCN Holders to participate in the Reinvestment Offer.

#### Conditions of the relief

- 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 BCN offer is withdrawn.
- MBL must give or send to each Eligible BCN Holder, a copy of the Prospectus which complies with paragraph 7, by:
  - a. giving the Prospectus to the Eligible BCN Holder; or
  - b. sending the Prospectus:
    - by post to the address for the Eligible BCN Holder in the register of members or an alternative address (if any) nominated by the Eligible BCN Holder; or
    - ii. to the fax electronic address (if any) nominated by the Eligible BCN 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
  - information about the minimum and maximum number (if any) of BCN a participating Eligible BCN Holder can elect to participate in the Reinvestment Offer; and

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20-0109

- a statement that the market price of BCN is subject to change from time to time;
   and
- d. a statement that an Eligible BCN Holder may be able to sell or dispose of their BCN 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 BCN; and
- f. information about any other significant characteristics or features of the Reinvestment Offer or of the rights and obligations of Eligible BCN Holders who elect to participate in the Reinvestment Offer; and
- information about any alternatives that the Eligible BCN Holder may have to participating in the Reinvestment Offer.

#### Interpretation

In this instrument:

BCN means the notes issued by MBL on or about 8 October 2014 that are trading on ASX under the code 'MBLPA'.

BCN2 means fully paid, unsecured, subordinated, non-cumulative, mandatorily convertible and perpetual notes to be issued by MBL under the Prospectus.

**Eligible BCN Holder** means a BCN holder who is a registered holder of BCN at 7:00pm (AEDT) on 7 February 2020, 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 BCN2 (including the Reinvestment Offer) to be lodged with ASIC on or about 11 February 2020 and which is in substantially the same form and terms as that provided to ASIC on 3 February 2020.

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

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

Dated 6 February 2020

Signed by Nayanisha Samarakoon





ASIC

Australian Securities & Investments Commission

20-0117

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

#### Notice of Suspension of an Australian financial services licence

TO: Infinity Investments Australasia Pty Ltd ACN 160 379 706 ("the Licensee") Care of: Bobb Partners Legal Suite 25, Level 5, 88 Pitt Street Sydney NSW 2000

Pursuant to paragraph 915B(3)(a) if body corporate of the Corporations Act 2001 (the Act), the Australian Securities and Investments Commission hereby suspends Australian Financial Services Licence number 429966 held by the Licensee until 10 May 2020, with effect from the date on which this notice is given to the Licensee.

Dated Now

Morday 10th February 2020

Signed

Trouty Thomas

Tim Thomas

# Australian Securities and Investments Commission Corporations Act 2001 – Subsections 601QA(1), 741(1), 926A(2), 992B(1), and 1020F(1) – Exemptions

#### Enabling legislation

The Australian Securities and Investments Commission (ASIC) makes this
instrument under subsections 601QA(1), 741(1), 926A(2), 992B(1) and 1020F(1) of
the Corporations Act 2001 (the Act).

#### Title

This instrument is ASIC Instrument 20-0118.

#### Commencement

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

#### Nature of this instrument

 This instrument is an individual relief instrument, as referred to in paragraphs 28A to 28D of ASIC Class Order [CO 14/1000].

#### Disclosure relief

Offers made under an employee incentive scheme

 A Specified Person that makes an offer under an employee incentive scheme covered by this instrument does not have to comply with Part 6D.2, Part 6D.3 or Part 7.9 of the Act in relation to the offer.

# Subsequent sale offers

- 6. A person that makes a sale offer of an underlying eligible product within 12 months after the issue of the product does not have to comply with Part 6D.2, Part 6D.3 or Part 7.9 of the Act in relation to the sale offer where:
  - (a) the product was issued or otherwise granted:
    - (i) to an eligible participant under an employee incentive scheme; or
    - to a FCPE or a trustee in connection with an employee incentive scheme; and
  - (b) the person has no reason to believe the employee incentive scheme is not covered by this instrument.
- 7. A person that makes a sale offer of a financial product within 12 months after the issue of the product does not have to comply with Part 6D.2, 6D.3 or Part 7.9 of the Act in relation to the sale offer where:
  - (a) the product was issued by reason of the exercise or vesting of an eligible product issued or otherwise granted to:
    - an eligible participant under an employee incentive scheme; or

- (ii) to a FCPE or a trustee in connection with an employee incentive scheme; and
- (b) the person has no reason to believe the employee incentive scheme is not covered by this instrument.

#### Licensing, hawking and other incidental relief

#### General advice

 A Specified Person that makes an offer under an employee incentive scheme covered by this instrument and, in relation to the offer, provides a financial service consisting of general advice in connection with the offer, does not have to comply with subsection 911A(1) of the Act in relation to the advice.

#### Dealing

- 9. A Specified Person that provides any of the following financial services in relation to an offer in connection with an employee incentive scheme covered by this instrument does not have to comply with subsection 911A(1) of the Act in relation to the financial service:
  - (a) issuing the eligible product;
  - dealing in the eligible product where any acquisition by purchase or disposal of the eligible product by the Company or a related body corporate occurs either:
    - (i) through a financial services licensee; or
    - outside this jurisdiction and through a person which is licensed or otherwise authorised to deal in financial products of that kind in the relevant place; and
  - (c) dealing in an interest in a managed investment scheme covered by paragraph 13 of this instrument or paragraph 28C of ASIC Class Order [CO 14/1000].

# Custodial or depository services

- 10. A Specified Person that provides any of the following financial services in connection with an employee incentive scheme covered by this instrument does not have to comply with subsection 911A(1) of the Act in relation to the financial services:
  - a custodial or depository service in relation to the eligible product where the Specified Person performs their duties in good faith and has sufficient resources to perform those duties; and
  - dealing in the eligible product in the course of providing a custodial or depository service covered by paragraph (a).

#### Hawking

11. A Specified Person that makes an offer of an eligible product to an eligible participant in the course of, or because of, an unsolicited meeting or telephone call held or made in connection with an employee incentive scheme covered by this instrument does not have to comply with sections 736, 992A or 992AA of the Act.

#### Advertising

12. A Specified Person that advertises, or publishes a statement that is reasonably likely to induce eligible participants to acquire, an eligible product under an employee incentive scheme covered by this instrument does not have to comply with section 1018A of the Act in relation to an advertisement or publication.

#### Incidental managed investment scheme

13. A Specified Person that operates a managed investment scheme only by reason of making eligible products available under an employee incentive scheme covered by this instrument or operating a contribution plan in connection with an employee incentive scheme covered by this instrument does not have to comply with section 601ED of the Act in relation to the operation of that managed investment scheme.

#### Conditions

#### Notice of reliance

 A Specified Person making an offer in connection with a particular employee incentive scheme covered by this instrument must give ASIC a notice of reliance.

Note:

A notice of reliance can cover a particular employee incentive scheme that is intended to operate for many years. A new notice of reliance will be required to be given to ASIC if the Company or a related body corporate establishes a new employee incentive scheme.

15. The Company or a related body corporate may give ASIC the notice of reliance at any time before the Specified Person first relies on this instrument in relation to the particular employee incentive scheme but, in any event, must give ASIC the notice of reliance no later than 1 month after the day the Specified Person first relies on this instrument in relation to the particular employee incentive scheme.

# Disclosure

 A Specified Person that makes an offer under an employee incentive scheme covered by this instrument must ensure that the offer is made in, or is accompanied by, an offer document.

#### 5% issue limit

17. A Specified Person that makes an offer covered by this instrument must, at the time of making the offer, have reasonable grounds to believe that the number of underlying eligible products in a class of underlying eligible products that form part of the issued capital of the Company that have been or may be issued in any of the circumstances covered by the following paragraphs will not exceed 5% of the total number of underlying eligible products in that class on issue:

- (a) underlying eligible products that may be issued under the offer;
- (b) underlying eligible products issued or that may be issued as a result of offers made at any time during the previous 3 year period under:
  - an employee incentive scheme or like scheme of the Company or a related body corporate, where offers were covered by this instrument or an individual instrument made by ASIC on terms similar to this instrument; or
  - (ii) an employee incentive scheme or employee share scheme of the Company or a related body corporate, where the offers were covered by ASIC Class Order [CO 03/184] or an individual instrument made by ASIC on terms similar to that class order.

#### FCPE structure

- The Company must take all reasonable steps to ensure that:
  - the Manager maintains written records on the administration of the FCPE including written records that identify the underlying eligible products held on an allocated basis for the specified eligible participant;
  - (b) the Manager and the Custodian do not levy any fees or charges for administering the FCPE that are payable directly by any eligible participant or out of the assets of the FCPE, other than reasonable disbursements including brokerage and tax levied or incurred in connection with the FCPE or fees and charges, as otherwise provided for in the Rules, or as the Company reasonably believes are authorised under the laws of France;
  - the Manager does not, at its own discretion, exercise any voting rights attaching to any of the underlying eligible products held in the FCPE;
  - (d) the FCPE does not hold more than 5% of the voting shares or voting interests in the Company where such holdings relate to employee incentive schemes of the Company or a related body corporate in reliance on this instrument;
  - the FCPE and an employee incentive scheme covered by this instrument, at all times, are approved and regulated by the Relevant Agency; and
  - (f) the Custodian complies with the laws of France.

#### Regulation

- The Specified Person must, at all times, comply with the Rules.
- The Manager must, at all times, be approved by the Relevant Agency.
- 21. The Rules must not be modified or varied in any material respect that would adversely affect the rights and interests of eligible participants, unless:

- the Company reasonably believes that such modification or variation is required by the laws of France; or
- (b) ASIC gives prior written notice to the Company that it does not object to the modification or variation.
- 22. The Company must notify ASIC as soon as practicable, and in any event, within 15 business days from the date it knew, or should reasonably have known, of the following notifiable matters:
  - any significant change to the authorisation granted by the Relevant Agency relating to the operation of the FCPE, including any exemptions or other relief granted to any of the Specified Person; and
  - the details of each significant investigation, disciplinary or enforcement action against any of the Specified Persons.

# FCPE annual financial statements

- The FCPE annual financial statements must be audited annually.
- 24. If requested by an eligible participant at any time during the period the eligible participant is participating in an employee incentive scheme covered by this instrument, the Company must provide and make available at the registered office or principal place of business of Australian Company, during normal business hours or such other time as is agreed with the eligible participant:
  - the most recent FCPE annual financial statements and accompanying auditors' report;
  - (b) a copy of the Rules;
  - (c) a copy of the offer document; and
  - (d) a response to any other reasonable request for information.

# Redemption of eligible products

- The Australian Company must accept notices, correspondence and service of process on behalf of each of the Specified Person at its registered office or principal place of business.
- 26. The Australian Company must forward any notice received from an eligible participant in connection with an employee incentive scheme, including a notice relating to the buy-back or redemption of eligible products as provided for in the Rules, to the Manager without delay.
- The Company must notify ASIC within 5 business days of:
  - suspension or termination of the buy-back arrangements or redemption facilities of eligible products in the FCPE; or
  - (b) suspension of the quotation of the underlying eligible products of the Company on the eligible financial market.

Notices under Corporations Act 2001

.. ....

- The Company must maintain, at the registered office or principal place of business 28. of the Australian Company, a register of eligible participants who are participating in an employee incentive scheme covered by this instrument that includes details of:
  - the names and addresses of each eligible participant; (a)
  - the extent of the holding of each eligible participant; (b)
  - the date at which the name of each eligible participant was entered in the (c) register; and
  - the date at which any eligible participant's interest ceased. (d)

#### ASIC power to request documents

- A Specified Person must, if requested by ASIC and in accordance with the request, make available to ASIC the offer document and all other accompanying information or documents given to eligible participants in connection with an offer that is made in reliance on this instrument, including:
  - records relating to the issue or sale of and the buy-back or redemption of eligible products in the FCPE to or from eligible participants; and
  - (b) if any document is not in English, a translation of that document into English which must be a certified translation if requested by ASIC.

#### Interpretation

- 30. In this instrument:
  - able to be traded has the meaning given by section 761A of the Act; (a)

Australian Company means one or more of the following entities: Saint-Gobain Abrasives Pty Ltd ACN 068 931 420 and Saint-Gobain Solar Gard Australia Pty Ltd ACN 079 219 499;

casual employee, in relation to the Company or a related body corporate, means an individual who is, or might reasonably be expected to be, engaged to work the number of hours that are the pro-rata equivalent of 40% or more of a comparable full-time position with the body;

Company means Compagnie de Saint-Gobain, a body registered in France and listed in the eligible financial market;

Custodian means the custodian of the FCPE from time to time (presently CACEIS BANK, a body registered in France), which, by way of contract, acts for or on behalf of the Company in connection with an offer to an eligible participant under an employee incentive scheme;

contribution, in relation to a contribution plan, does not include:

- (i) nominal monetary consideration; or
- (ii) a monetary contribution as consideration for an issue, transfer or grant of an eligible product to the eligible participant without undue delay (including a monetary contribution made to exercise an eligible product or cause an eligible product to vest);

contribution plan means a plan under which an eligible participant may make monetary contributions to acquire eligible products, whether made before or after the acquisition, from one or more of the following:

- gross (before-tax) wages or salary;
- (ii) net (after-tax) wages or salary;
- (iii) other monies;

eligible financial market means the financial market operated by Euronext Paris and, unless a contrary intention appears, is limited to the main board of that market;

eligible participant means, in relation to the Company or a related body corporate, a person specified in column 2 of Table A who is a resident in this jurisdiction;

eligible product means, in relation to the Company, means a financial product specified in column 1 of Table A;

employee incentive scheme means an arrangement under which eligible products of or relating to the Company are offered to eligible participants through a FCPE (or in connection with a FCPE), and which is designed to support interdependence between the Company and its related bodies corporate and those participants for their long-term mutual benefit;

FCPE means a collective employee investment vehicle known as a Fonds Commun de Placement d'Entreprise approved by the Relevant Agency and including any successor FCPEs that are formed on a temporary basis in order to make offers of eligible products to eligible participants;

FCPE annual financial statement means the books of account maintained in respect of the activities of the FCPE (including the statement of assets and liabilities, balance sheet, income statement, together with the related notes) prepared in accordance with French accounting standards and the laws of France;

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

Manager means the independent management company of the FCPE from time to time (presently Amundi, a body registered in the Paris Trade and Companies Registry, France under number 437 574 452) which, by way of contract with the Company, acts for or on behalf of the Company in connection with an offer to an eligible participant under an employee incentive scheme;

nominal monetary consideration means monetary consideration of a token or trivial amount;

notice of reliance, in relation to a particular employee incentive scheme, means a written notice in a form approved in writing by ASIC;

offer, in relation to an eligible product, has a meaning affected by sections 700, 702 and 1010C of the Act and includes:

- an offer to issue the eligible product;
- (ii) an issue or grant of the eligible product;
- (iii) an offer to transfer the eligible product;
- (iv) a transfer of the eligible product; and
- (v) an offer to arrange for the issue or transfer of the eligible product;
- offer document, in relation to an offer of eligible products under an employee incentive scheme, means a document which includes, or is accompanied by, the following information, statements and explanations worded and presented in a clear, concise and effective manner:
- (i) prominent statements to the effect that:
  - a. any advice given by any Specified Person in relation to eligible products offered under the employee incentive scheme does not take into account an eligible participant's objectives, financial situation and needs;
  - eligible participants should consider obtaining their own financial product advice from a person who is licensed by ASIC to give such advice; and
  - the FCPE and the employee incentive scheme are regulated by the laws of France, and those laws differ from Australian laws;
- (ii) either:
  - a. a copy of the Rules; or
  - a summary of the Rules together with a statement that, on request and at no charge and within a reasonable time, the Company will provide an eligible participant with a copy of the Rules:
- (iii) general information about the risks of acquiring and holding an eligible product being offered under the employee incentive scheme;
- (iv) as the FCPE and employee incentive schemes are regulated by the laws of France, a brief description of the legal and practical effect (if any) this may have on the rights and ability of an eligible participant domiciled in Australia to make any claim or enforce any right arising out of or in connection with the offer of an eligible product;
- (v) an explanation of the nature of any special risks associated with crossborder investing, such as risks arising from foreign taxation requirements, foreign currency or time differences;
- (vi)details of how the Rules provide for any fees or charges for administering the FCPE that are payable directly by any eligible participant or out of the assets of the FCPE;

- (vii) the acquisition price of the eligible products in Australian dollars or, where the acquisition price is to be worked out in the future under a formula, an explanation of how an eligible participant could calculate the acquisition price of the eligible products in Australian dollars were that formula applied at the date of the offer; and
- (viii) an explanation of how an eligible participant could, from time to time, ascertain the market price of an underlying eligible product in Australian dollars;

prospective participant, in relation to an offer of an eligible product under an employee incentive scheme, means a person to whom the offer is made but who can only accept the offer if an arrangement has been entered into that will result in the person becoming covered by one of paragraphs (a) to (c) of column 2 of Table A;

related body corporate has the meaning given in section 50 of the Act;

Relevant Agency means the Autorité des Marchés Financiers, the French Market Authority;

**Rules** means the rules of an employee incentive scheme, the rules of the FCPE and the rules of any successor FCPEs that are formed on a temporary basis, each as approved by the Relevant Agency and as amended from time to time;

# Specified Person means:

- the Company;
- (ii) the related bodies corporate of the Company;
- (iii) the Custodian;
- (iv) the Manager; and
- any person who, by way of contract between the person and the Company, acts for or on behalf of the Company in connection with an offer of an eligible product to an eligible participant under an employee incentive scheme;

underlying eligible product means an eligible product specified in any of paragraphs (a) to (b) in column 1 of Table A;

- (b) an offer of eligible products to an eligible participant under an employee incentive scheme on terms that the eligible participant may renounce the offer in favour of a person covered by one of the following paragraphs is to be treated as an offer of eligible products to the eligible participant:
  - an immediate family member of the eligible participant;
  - a company whose members comprise no persons other than the eligible participant or immediate family members of the participant; and

- (iii) a corporate trustee of a self-managed superannuation fund (within the meaning of the Superannuation Industry (Supervision) Act 1993) where the eligible participant is a director of the trustee; and
- (c) an employee incentive scheme, employee share scheme, or like scheme is covered by an instrument to the extent that offers are made, or other conduct is carried out, in reliance on this instrument; and
- (d) for the avoidance of doubt, a document or other writing to be given in connection with this instrument may be given by electronic means (including, in the case of a document or other writing to be given by a Specified Person in relation on this instrument, by way of making it available on a website and notifying the intended recipient that it is available on the website).

Dated this 11th day of February 2020

Signed by Margaret Turnbull

# Table A

Column 1 Eligible product			Column 2 Eligible participant		
(a)	a fully paid share of the Company that is in a class of shares able to be traded on an eligible financial market;	(a) (b)	a full-time or part-time employee (including an executive director); a non-executive director;		
(b)	a unit in a financial product mentioned in paragraph (a);	(c) (d)	a casual employee; a prospective participant.		
(c)	a financial product that relates to a financial product mentioned in paragraph (a);				
	e in each case in relation to a product ioned in paragraph (a):				
(d)	the share is in the same class as financial products which were able to be traded on the relevant financial market at all times in the 3 months before the day the offer document is first given to an eligible participant; and				
(e)	the class of class of shares were not suspended for more than a total of 5 days during the shorter of the period during which the class of products were able to be traded, and the period of 12 months before the day the offer document is first given to an eligible participant.				

#### NOTICE UNDER SECTION 920E OF THE CORPORATIONS ACT 2001

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 7th February 2020.

#### Australian Securities and Investments Commission

In the matter of Warren Scott Acworth

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

To: Warren Scott Acworth

**Take notice** that under sections 920A(1) and 920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits **WARREN SCOTT ACWORTH** from providing any financial services permanently.

Dated this 4th day of February 2020.

Signed:

Mei-lin Loh

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.





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

# Notice of Cancellation of an Australian financial services licence

TO: Spectrum Wealth Advisers Pty Ltd ACN: 134 661 706 ("The Licensee") 'Tower 2' Level 14 101 Grafton Street Bondi Junction NSW 2022

- Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001 (the Act), the Australian Securities and Investments Commission (ASIC) hereby cancels Australian financial services (AFS) licence number 334400 held by the Licensee, with effect from the date on which this notice is given to the Licensee.
- Pursuant to section 915H of the Act, the AFS licence continues in effect while cancelled, as though the cancellation had not happened for the purposes of:
  - paragraphs 912A(2)(c) of the Act, which requires the Licensee to maintain membership of the Australian Financial Complaints Authority scheme for no less than twelve months from the date the notice of cancellation of the AFS licence is given to the Licensee; and
  - section 912B of the Act, which requires the Licensee to maintain compensation arrangements for no less than twelve months from the date the notice of cancellation of the AFS licence is given to the Licensee. The arrangements must satisfy the requirements set out in regulation 7.6.02AAA of the Corporations Regulations 2001.

Dated

14th February 2020

Signed

Hock Pena Lee

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CORPORATIONS ACT 2001 Section 601CL(5)

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

Dated this fourteenth day of February 2020

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
BATH IRON WORKS AUSTRALIA CORPORATION	118 948 502
EGON OLDENDORFF VERWALTUNGSGESELLSCHAFT MBH	089 282 191
MAIDENBOWER CONSULTING LIMITED	145 365 859
TRADE ME GROUP LIMITED	154 115 723

# No. A07/20, Tuesday 18 February 2020

Company/Scheme deregistrations

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CORPORATIONS ACT 2001 Section 601CL(4)

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

Dated this fourteenth day of February 2020

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company

GOBY INC.

631 321 107

LATITUDE ONE SDN. BHD.

625 563 608

Company/Scheme deregistrations

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 fourteenth day of February 2020

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme	ARSN
BRISCONNECTIONS HOLDING TRUST	131 125 025
BRISCONNECTIONS INVESTMENT TRUST	131 124 813
US RESIDENTIAL TRUST	601 461 956

604 624 688

# No. A07/20, Tuesday 18 February 2020

Company/Scheme deregistrations

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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 fourteenth day of February 2020

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme ARSN

BLUE SKY STUDENT ACCOMMODATION FUND II

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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.

**BEE'S CAP LIMITED** ACN 618 389 165 will change to a proprietary company limited by shares. The new name will be BEE'S CAP PTY LTD ACN 618 389 165.

#### **FANTASTIC HOLDINGS LIMITED**

ACN 004 000 775 will change to a proprietary company limited by shares. The new name will be FANTASTIC HOLDINGS PTY LIMITED ACN 004 000 775.

#### STEINHOFF ASIA PACIFIC LIMITED

ACN 051 493 764 will change to a proprietary company limited by shares. The new name will be STEINHOFF ASIA PACIFIC PTY LIMITED ACN 051 493 764.

# **ENVIROPACIFIC SERVICES PTY LIMITED**

ACN 111 372 064 will change to a public company limited by shares. The new name will be ENVIROPACIFIC SERVICES LIMITED ACN 111 372 064.

#### PINNACLE SECURITIES PTY LTD

ACN 608 667 778 will change to a public company limited by shares. The new name will be PINNACLE SECURITIES LIMITED ACN 608 667 778.