



# ASIC Australian Securities & Investments Commission

Commonwealth of Australia Gazette

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# **ASIC Gazette**

#### Contents

Notices under Corporations Act 2001

20-0933	20-0939	20-1182	20-1213	20-1214	20-1215	21-0016
21-0017	21-0018	21-0019	21-0021	21-0022	21-0023	21-0024
21-0025	21-0031	21-0033	21-0036	21-0042	21-0047	21-0050
21-0052						

Company/scheme deregistrations

Change of company type

#### **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 — Paragraph 911A(2)(I) — Amendment

#### **Enabling legislation**

 The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(1) of the Corporations Act 2001.

#### Title

2. This instrument is ASIC Instrument 20-0933.

#### Commencement

This instrument commences on gazettal.

#### Amendment

ASIC Instrument 16-0802 is amended by, after Schedule C inserting:

#### "Cessation

This instrument ceases to apply at the end of the period referred to in subitem 1(3) of Schedule 2 to ASIC Corporations (Repeal and Transitional) Instrument 2016/396.".

Dated this 11th day of January 2021.

Signed by Andrew Duffy

as a delegate of the Australian Securities and Investments Commission

Pufly

#### Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 911A(2)(I) — Amendment

#### **Enabling legislation**

 The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(1) of the Corporations Act 2001.

#### Title

This instrument is ASIC Instrument 20-0939.

#### Commencement

This instrument commences on gazettal.

#### Amendment

- ASIC Instrument 13-1346 is amended by, after paragraph 8, inserting:
  - "9. This instrument ceases to apply at the end of the period referred to in subitem 1(3) of Schedule 2 to ASIC Corporations (Repeal and Transitional) Instrument 2016/396."

Dated this 11th day of January 2021.

Signed by Andrew Duffy

as a delegate of the Australian Securities and Investments Commission

Puffy



#### Australian Market Licence (Cboe Futures Exchange, LLC) 2020

#### Corporations Act 2001

I, Nathan Bourne, Senior Executive Leader, Australian Securities and Investments Commission grant this Licence under subsection 795B(2) of the Corporations Act 2001 (the Act) and impose conditions on this Licence under subsection 796A(1) of the Act.

Dated 22 December 2020

Signed .....

as a delegate of the Minister under section 1101J of the Act

#### 1. Name

This is the Australian Market Licence (Choe Futures Exchange, LLC) 2020.

2

#### 2. Commencement

This Licence commences when it is granted.

#### 3. Definitions

In this Licence unless the contrary intention appears, terms defined in the Act have the same meaning in this Licence and:

Act means the Corporations Act 2001.

ASIC means the Australian Securities and Investments Commission.

Australian client means, in relation to a participant in the Market, a person in this jurisdiction on whose behalf the participant deals on the Market.

#### Australian participant means:

- (a) an Australian entity that is a participant in the Market;
- (b) a foreign branch or office of an Australian entity where:
  - the foreign branch or office of the Australian entity is a participant in the Market; or
  - (ii) the Australian entity is a participant in the Market; or
- (c) an Australian branch or office of a foreign entity where the Australian branch or office is a participant in the Market.

foreign participant means a participant in the Market who is not an Australian participant.

Licensee means Cboe Futures Exchange, LLC ARBN 645 390 343.

Market means the financial market the Licensee is authorised to operate under this Licence.

reporting period means each period of 3 months, or part thereof, during which the Market is operated in Australia, ending on 31 March, 30 June, 30 September, or 31 December.

#### 4. Grant of Licence

The Licensee is granted a licence to operate a financial market through which participants may make or accept offers to acquire or dispose of derivatives.

#### 5. Clearing and settlement arrangements

Clearing and settlement arrangements for transactions effected through the Market under this Licence must be provided by The Options Clearing Corporation.

#### 6. Australian participants to be licensed

The Licensee must require an Australian participant to hold an Australian financial services licence that permits trade in products of the same kind as those that can be dealt with on the Market unless the Australian participant is exempt under Australian law from the requirement to hold such a licence in relation to participation in the Market.

#### Australian participants to notify of suspension or cancellation of Australian financial services licence or trading permission

3

The Licensee must require an Australian participant to notify the Licensee as soon as practicable if:

- (a) the participant's Australian financial services licence is suspended or cancelled; or
- (b) the participant's permission to trade in products dealt with on the Market is suspended or cancelled.

#### 8. Disclosure by participants to Australian clients

- (1) Before a participant accepts the first order from a client in Australia to deal on the Market, the Licensee must require the participant to disclose to the client the significant differences between trading derivatives on the Market and trading derivatives on an Australian-based market.
- (2) The matters that must be disclosed include, but are not limited to the following:
  - the Licensee 's principal place of business is located in the United States of America:
  - the Market is regulated primarily under the regulatory regime of the United States of America;
  - (c) the rights and remedies of, and compensation arrangements for, investors who acquire products offered on the Market may differ from the rights and remedies of, and compensation arrangements for, investors who acquire products offered on an Australian-based market; and
  - (d) Australian investors who acquire products offered on the Market may be subject to the effects of changes in currency exchange rates.

#### 9. Periodic trade reporting

(1) It is a condition of this Licence that the Licensee must give to ASIC, in a machine-readable format, at least the following information within 30 days after the end of each reporting period, for each product specified in the following table:

Category	Products
Commodity derivatives	Agricultural derivatives, Energy derivatives,
	Metals derivatives, Index derivatives,
	Environmental derivatives, Freight derivatives,
	Multi Commodity derivatives
Credit derivatives	Index derivatives, Index Tranche derivatives,
	Single Name derivatives, Swaptions, Total Return
	Swap, Total Return Swap Index, Exotic derivatives

4

20-1182

Equity derivatives	Swap, Portfolio Swap, Contract for Difference,
	Option, Forward, Other derivatives
Foreign Exchange	Forward, Vanilla Option, NDF, NDO, Continuous
financial products	FX, Simple Exotic, Exotic, Complex Exotic
Interest Rate and	FRA, Interest Rate Swap, Cross Currency,
Inflation derivatives	Inflation Swap, Forward Debt, CapFloor,
	Swaption, Debt Option, Inflation CapFloor, Exotic

- the total number of trades and their total value, in AUD-equivalent terms, of trades during the reporting period by all participants; and
- (b) the total number of trades and their total value, in AUD-equivalent terms, of trades during the reporting period by each Australian participant, identifying each Australian participant by their registered name and, if applicable, their branch name and, if available, their Legal Entity Identifier; and
- (c) the total number of trades and their total value, in AUD-equivalent terms, of trades during the reporting period by each foreign participant but only in relation to the trades that the Licensee believes to be trades on behalf of one or more Australian clients, identifying each foreign participant by their registered name and, if applicable, their branch name and, if available, their Legal Entity Identifier; and
- (d) the total number of trades and their total value, in AUD-equivalent terms, of the trades that are included in the information in (b) and (c) above and which are trades between any two participants listed in (b) and (c) above.

#### 10. Market ceases to operate

- It is a condition of this Licence where the Licensee intends to cease operating the Market in this jurisdiction, the Licensee must:
  - establish, document and implement adequate arrangements for ensuring, as applicable, the orderly cessation of the Market;
  - (b) notify ASIC:
    - that the Licensee intends to cease operating the Market in this jurisdiction, as soon as reasonably practicable;
    - of the arrangements referred to in paragraph (a), as soon as reasonably practicable before ceasing to operate the Market in this jurisdiction; and
    - of any changes to the arrangements referred to in paragraph (a) following the notification in subparagraph (ii), as soon as reasonably practicable after making those changes

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

#### Enabling legislation

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

#### Title

This instrument is ASIC Instrument 20-1213.

#### Commencement

This instrument commences on the date it is signed.

#### Declaration

- Chapter 5C of the Act applies to 360 Capital FM Limited ACN 090 664 396 (the RE) in its capacity as the responsible entity of the 360 Capital Finance Trust ARSN 646 156 005 (the scheme) as if the following provisions of that Chapter were modified or varied:
  - (a) after section 601FE insert:

#### "601FEA Modification of duties: stapled securities

- (a) This section applies to a registered scheme where the interests in the scheme and shares in a company are components of stapled securities.
- (b) For the purposes of paragraphs 601FC(1)(c) and 601FD(1)(c), an obligation to act in the best interests of the members of the scheme is an obligation to act in the best interests of the members of the scheme having regard to their interests as members of the scheme and of the company.
- (c) For the purposes of paragraphs 601FC(1)(e), 601FD(1)(d) and 601FD(1)(e), and subsection 601FE(1), an obligation to not make use of information, or not make improper use of position, in order to cause detriment to the members of the scheme is an obligation not to do those things in order to cause detriment to the members of the scheme having regard to their membership of both the scheme and the company.";
- (b) after subsection 208(2) as notionally inserted by section 601LC, insert:
  - "(2A) Member approval is not required for the giving of a financial benefit and the benefit need not be given within 15 months if all the following conditions are satisfied:
    - (a) the benefit either:

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

#### "601PD Stapled securities

For the purposes of this Chapter:

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

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

#### Where this declaration applies

This declaration applies where each interest in the scheme and a share in Velocity
Property Group Limited ACN 605 935 153 must, under the terms upon which each is to
be traded, only be transferred together.

Dated this 23<sup>rd</sup> day of December 2020

Signed by Flora Lee

#### Australian Securities and Investments Commission Corporations Act 2001 – Paragraph 601QA(1)(a) – Exemption

#### Enabling legislation

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

#### Title

This instrument is ASIC Instrument 20-1214.

#### Commencement

This instrument commences on the date it is signed.

#### Exemption

4. 360 Capital FM Limited ACN 090 664 396 (the RE) in its capacity as the responsible entity of the 360 Capital Finance Trust ARSN 646 156 005 (the Scheme) does not have to comply with paragraph 601FC(1)(d) of the Act, to the extent that it requires the responsible entity of a registered scheme to treat members who hold interests of the same class equally.

#### Where this instrument applies

- The Stapling Proposal is implemented on terms that allow the RE to determine that a Foreign Securityholder is to be excluded from participating in the Stapling Proposal.
- The RE reasonably concludes and documents its conclusions in writing that:
  - (a) it would be unlawful (under the laws of the relevant foreign jurisdiction) for Foreign Securityholders to be offered or issued interests in the Scheme (as a component of the Stapled Securities); or
  - (b) it would be unduly onerous on the RE for Foreign Securityholders to participate in the Stapling Proposal having regard to:
    - (i) the number of holders of Stapled Securities in that jurisdiction;
    - (ii) the number and value of Stapled Securities held by Foreign Securityholders in that jurisdiction; and
    - (iii) the cost of and process for seeking advice as to the requirements for doing so in relation to those jurisdictions and/or the cost of complying with legal requirements and the requirements of any relevant regulatory authority applicable to Foreign Securityholders participating in the Stapling Proposal in that jurisdiction.

- 7. The RE reasonably believes that having regard to the rights and interests of all members of the Scheme, it would be in best interests of all members of the Scheme for Foreign Securityholders to be treated in a manner as set out in paragraph 5.
- 8. Where the RE has determined that a holder of Stapled Securities is a Foreign Securityholder, Stapled Securities are transferred to a nominee and following the implementation of the Stapling Proposal, that nominee sells the Stapled Securities the Foreign Securityholder would otherwise have been entitled to hold under the Stapling Proposal on the ASX, with the proceeds of such sale being remitted to the Foreign Securityholder on the terms described in the Explanatory Materials.

#### Interpretation

9. In this instrument:

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

**Record Date** means 10.00am (Sydney time) on 5 May 2021 or such other time determined by the Company and permitted by the ASX.

Company means Velocity Property Group Limited ACN 605 935 153.

**Explanatory Materials** means the Notice of Extraordinary General Meeting and Explanatory Memorandum for the Stapling Proposal dated 23 December 2020 sent to a person who holds a share in the Company in relation to the Stapling Proposal which is substantially in the same form as provided to ASIC on 11 December 2020.

Foreign Securityholder means a person who as at the Record Date holds an ordinary share in the Company whose address in the relevant register is a place outside Australia.

Stapled Securities means an interest in the Scheme and an ordinary share in the Company which, under the terms on which each is to be traded, must be transferred together, and where there are no financial products in the same class as those financial products which may be transferred separately.

Stapling Proposal means the proposal under which interests in the Scheme are to be issued to members of the Company, which if approved, would result in an interest in the Scheme being stapled to a share in the Company, as described in the Explanatory Materials.

Dated this 23rd day of December 2020

Signed by Flora Lee

#### Australian Securities and Investments Commission Corporations Act 2001—Paragraph 911A(2)(I)- Exemption

#### **Enabling Legislation**

The Australian Securities and Investments Commission (ASIC) makes this
instrument under paragraph 911A(2)(l) of the Corporations Act 2001 (the Act).

#### Title

This instrument is ASIC Instrument 20-1215.

#### Commencement

This instrument commences on gazettal.

#### Exemption

 Velocity Property Group Limited ACN 605 935 153 (Velocity) is exempt from the requirement to hold an Australian financial services licence under subsection 911A(1) of the Act

#### Where the instrument applies

- This instrument applies where Velocity provides or gives financial product advice to Velocity Shareholders where that advice is:
  - (a) General Advice;
  - (b) contained in the Explanatory Materials; and
  - (c) provided in connection with the Stapling Proposal.

#### Interpretation

In this instrument:

Explanatory Materials means the notice of meeting, explanatory memorandum and product disclosure statement dated 23 December 2020 sent to a person who holds a share in Velocity in relation to the Stapling Proposal which is substantially in the same form as that provided to ASIC on 11 December 2020.

General Advice has the meaning given by subsection 766B(4) of the Act.

360 CFT means 360 Capital Finance Trust ARSN 646 156 005.

2

**Stapling Proposal** means the proposal to staple a share in Velocity with an interest in the 360 CFT which under the terms on which each is to be traded, must be transferred together, as described in the Explanatory Materials.

Dated this 23<sup>rd</sup> day of December 2020

Signed by Flora Lee

### Australian Securities and Investments Commission Corporations Act 2001 – Subsections 741(1) and 1020F(1) – Revocation and Exemptions

#### **Enabling legislation**

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

#### Title

2. This instrument is ASIC Instrument 21-0016

#### Commencement

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

#### Revocation

4. ASIC Instrument 20-0744 dated 28 July 2020 is revoked.

#### Exemptions

- Goodman Limited ACN 000 123 071 (GL) does not have to comply with Part 6D.2 or 6D.3 of the Act (other than sections 736 and 738) for an offer of shares for issue under a purchase plan.
- Goodman Logistics (HK) Limited ARBN 155 911 149 (GLHK) does not have to comply with Part 6D.2 or 6D.3 of the Act (other than sections 736 and 738) for an offer of shares for issue under a purchase plan.
- 7. Goodman Funds Management Limited ACN 067 796 641 (GFML) as the responsible entity for Goodman Industrial Trust ARSN 091 213 839 (GI Trust) does not have to comply with section 1012B or Division 4 of Part 7.9 of the Act in relation to an offer of interests in the scheme for issue, or an issue of interests in the scheme, under a purchase plan.

#### Where this instrument applies

- 8. The exemptions in sections 4, 5 and 6 apply where:
  - GL, GLHK and GFML are stapled issuers in the same stapled group and in relation to which there are no other stapled issuers;
  - GL has issued shares, GLHK has issued CHESS Depository Interests over shares (CDIs) and GFML has issued interests in the GI Trust, on terms which require that

the shares, CDIs and interests may only be traded on a prescribed financial market if they are transferred together (the *Goodman Group Stapled Securities*);

- c. GL, GLHK and GFML have been admitted to the official list of the ASX;
- d. the Goodman Group Stapled Securities are jointly quoted on the ASX;
- e. the offers under the purchase plans are of shares in GL and GLHK, and interests in the GI Trust, on terms which require that the shares, CDIs and interests may only be traded on a prescribed financial market if they are transferred together and which shares, CDIs and interests are in the same class of shares, CDIs and interests that comprise the Goodman Group Stapled Securities;
- f. the offers under the purchase plans comply with the requirements of paragraphs 7(a) to (c) and paragraphs 7(e) and 7(f) of LI 2019/547;

Note: For the purposes of compliance with the requirements of 7(a) to (c) and paragraphs 7(e) and 7(f) of LI 2019/547 words and phrases have meanings or interpretation given in LI 2019/547.

- g. no order under section 340 or 341 of the Act (other than an excluded order, ASIC Instrument 18-0353 dated 7 May 2018 or ASIC Instrument 20-0568 dated 5 June 2020 or ASIC Instrument 21-0012 dated 14 January 2021) covered GL or GFML in its capacity as responsible entity of GI Trust, or any person as director or auditor of either GL or GFML in its capacity as responsible entity of GI Trust, at any time in the period of 12 months before the day on which the offer is made; and
- h. no declaration under subsection 601CK(7) of the Act applied to GLHK or any person as director or auditor of GLHK, at any time in the period of 12 months before the day on which the offer is made.

#### Conditions

 GL, GLHK and GFML as responsible entity of the GI Trust must each comply with the conditions specified in section 8 of LI 2019/547 in relation to the offers of shares and interests as if they were making offers of stapled securities under a purchase plan under and in relation on LI 2019/547.

#### Exemptions for other regulated persons

 A regulated person (within the meaning of section 1011B of the Act) other than GL, GLHK and GFML in its capacity as responsible entity of the GI Trust, does not have to comply with Divisions 2 and 4 of Part 7.9 of the Act in relation to a purchase plan referred to in this instrument.

 The regulated person may only rely on this exemption if the person has no reason to suspect that GL, GLHK and GFML in its capacity as responsible entity of the GI Trust, in relation to the purchase plan has not satisfied the requirements or complied with the conditions of this instrument.

#### Interpretation

#### 12. In this instrument:

A person is a director of a registered scheme at a particular time if the person is a director of the responsible entity of the registered scheme at that time.

ASX means ASX Limited ACN 008 624 691.

excluded order means a technical relief instrument to the extent it is made under section 340 or 341 of the Act.

Note: ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73 notionally inserts a definition of technical relief instrument in section 9 of the Act.

LI 2019/547 means ASIC Corporations (Share and Interest Purchase Plans) Instrument 2019/547.

purchase plan has the meaning given by LI 2019/547.

stapled group means a group of entities consisting of:

- (a) a stapled issuer and each other stapled issuer a security of which under the terms on which it is traded on a prescribed financial market must be transferred with a security of the other stapled issuers; and
- (b) all other entities controlled by the stapled issuers referred to in paragraph (a).

stapled issuer means an entity to which both of the following apply:

- (a) a security of the entity under the terms on which it is traded on a prescribed financial market, must be transferred together with a security of one or more other entities; and
- (b) there are no securities in the same class as the security first mentioned in paragraph (a) which may be transferred separately.

Dated 14 January 2021

Signed by Kyle Wright

## Australian Securities and Investments Commission Corporations Act 2001 – Subsections 741(1) and 1020F(1) – Revocation and Declarations

#### Enabling legislation

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

#### Title

This instrument is ASIC Instrument 21-0017.

#### Commencement

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

#### Revocation

4. ASIC Instrument 20-0743 dated 28 July 2020 is revoked.

#### Declarations

- Chapter 6D of the Act applies to Goodman Limited ACN 000 123 071 (GL) as if the
  definition of "continuously quoted securities" in section 9 of the Act was modified or
  varied by omitting subparagraph (b)(iii) of the definition.
- Part 6D.2 of the Act applies to GL as if section 708AA (as modified by ASIC Corporations (Non-traditional Rights Issues) Instrument 2016/84) were further modified or varied as follows:
  - a. omit paragraph (2)(e), substitute "(e) omitted;".
- Part 6D.2 of the Act applies to GL as if section 708A (as modified by ASIC Corporations (Non-traditional Rights Issues) Instrument 2016/84 and ASIC Corporations (Sale Offers That Do Not Need Disclosure) Instrument 2016/80) were further modified or varied as follows:
  - a. omit paragraph (5)(d), substitute "(d) omitted;".
- Part 7.9 of the Act applies to Goodman Funds Management Limited ACN 067 796 641
   (GFML) as the responsible entity for Goodman Industrial Trust ARSN 091 213 839 (GI
   Trust) as if the definition of "continuously quoted securities" in section 9 of the Act was
   modified or varied by omitting subparagraph (b)(iii) of the definition.

- Part 7.9 applies to GFML as the responsible entity for GI Trust as if section 1012DAA (as modified by ASIC Corporations (Non-traditional Rights Issues) Instrument 2016/84) were further modified or varied as follows:
  - a. omit paragraph (2)(e), substitute "(e) omitted;".
- 10. Part 7.9 applies to GFML as the responsible entity for the GI Trust as if section 1012DA (as modified by ASIC Corporations (Non-traditional Rights Issues) Instrument 2016/84 and ASIC Corporations (Sale Offers That Do Not Need Disclosure) Instrument 2016/80) were further modified or varied as follows:
  - a. omit paragraph (5)(d), substitute "(d) omitted;".

#### Where this instrument applies

- 11. The declarations in sections 4, 5, 6, 7, 8 and 9 apply where:
  - GL, GLHK and GFML are stapled issuers in the same stapled group and in relation to which there are no other stapled issuers;
  - b. GL has issued shares, GLHK has issued CHESS Depository Interests over shares (CDIs) and GFML has issued interests in the GI Trust, on terms which require that the shares, CDIs and interests may only be traded on a prescribed financial market if they are transferred together (the Goodman Group Stapled Securities);
  - c. GL, GLHK and GFML have been admitted to the official list of the ASX;
  - d. the Goodman Group Stapled Securities are jointly quoted on the ASX;
  - e. no order under section 340 or 341 of the Act (other than an excluded order, ASIC Instrument 18-0353 dated 7 May 2018 or ASIC Instrument 20-0568 dated 5 June 2020 or ASIC Instrument 21-0012 dated 14 January 2021) covered GL or GFML in its capacity as responsible entity of GI Trust, or any person as director or auditor of either GL or GFML in its capacity as responsible entity of GI Trust, at any time in the period of 12 months before the day on which the offer is made; and
  - f. no declaration under subsection 601CK(7) of the Act applied to GLHK or any person as director or auditor of GLHK, at any time in the period of 12 months before the day on which the offer is made.

#### Interpretation

12. In this instrument:

A person is a director of a registered scheme at a particular time if the person is a director of the responsible entity of the registered scheme at that time.

ASX means ASX Limited ACN 008 624 691.

excluded order means a technical relief instrument to the extent it is made under section 340 or 341 of the Act.

Note: ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73 notionally inserts a definition of technical relief instrument in section 9 of the Act.

stapled group means a group of entities consisting of:

- (a) a stapled issuer and each other stapled issuer a security of which under the terms on which it is traded on a prescribed financial market must be transferred with a security of the other stapled issuers; and
- (b) all other entities controlled by the stapled issuers referred to in paragraph (a).

stapled issuer means an entity to which both of the following apply:

- (a) a security of the entity under the terms on which it is traded on a prescribed financial market, must be transferred together with a security of one or more other entities; and
- (b) there are no securities in the same class as the security first mentioned in paragraph (a) which may be transferred separately.

Dated 14 January 2021

Signed by Kyle Wright

#### Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 911A(2)(I) — Amendment

#### **Enabling legislation**

 The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(l) of the Corporations Act 2001.

#### Title

This instrument is ASIC Instrument 21-0018.

#### Commencement

This instrument commences on gazettal.

#### Amendment

ASIC Instrument 10-0215 is amended by, after Schedule C inserting:

#### "Cessation

This instrument ceases to apply at the end of the period referred to in subitem 1(3) of Schedule 2 to ASIC Corporations (Repeal and Transitional) Instrument 2016/396.".

Dated this 11th day of January 2021.

Signed by Andrew Duffy

as a delegate of the Australian Securities and Investments Commission

Pufly

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 5 January 2021.

#### Australian Securities and Investments Commission

In the matter of Jim Pavlidis

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

Jim Povlidis To:

 $\textbf{Take notice} \ that \ underse \ ctions \ \textit{920A} (1) \ and \ \textit{920B} (2) \ of \ the \ Corporations \ Act \ 2001 \ the \ Australian$ Securities and Investments Commission prohibits Jim Pavlidis from providing any financial services for a period of three (3) years.

Dated this 5" day of January 2021.

Signed: Salfolomeo

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 — Paragraph 911A(2)(I) — Amendment

#### **Enabling legislation**

 The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(1) of the Corporations Act 2001.

#### Title

This instrument is ASIC Instrument 21-0021.

#### Commencement

This instrument commences on gazettal.

#### Amendment

- ASIC Instrument 12-0950 is amended by, after paragraph 8, inserting:
  - "9. This instrument ceases to apply at the end of the period referred to in subitem 1(3) of Schedule 2 to ASIC Corporations (Repeal and Transitional) Instrument 2016/396."

Dated this 11th day of January 2021.

Signed by Andrew Duffy

as a delegate of the Australian Securities and Investments Commission

Ruffy

Page 24 of 41

21-0022

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Aggis Capital Pty Ltd ACN167 763 671 ("the Licensee") Level 1, 2 Barrack Street Sydney NSW 2000

Pursuant to paragraph 915B(3)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 464710 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 January 2021

Signed .. E. Lee

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

Notice of Cancellation of an Australian Financial Services Licence

TO: Prenitha Wikramanayake & Margaret Wikramanayake
ABN 61 740 497 179 ("the Licensee")
PO Box 2020
Rose Bay Nth NSW 2030

Pursuant to paragraph 915B(2)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 484718 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 January 2021

Signed E. Lee

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has made an order in the terms set out below, which order took effect on 8 January 2021.

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

#### Notice of cancellation of Australian Financial Services Licence

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

Under s915B(3)(b) of the Corporations Act 2001 (Act) the Australian Securities and Investments Commission (ASIC) cancels Australian financial services licence number 225973 (Licence) held by Halifax.

Under s915H of the Act ASIC specifies that the Licence continues in effect until 7 January 2022, as though the cancellation had not happened for the purpose of:

- (a) Paragraphs 912A(1)(g) of the Act to the extent that it requires Halifax to have a disputes resolution system complying with s912A(2)(c) of the Act (which requires Halifax to be a member of the AFCA scheme);
- (b) Section 912B of the Act and regulations 7.6.02AAA and 7.6.02AA of the Corporations Regulations 2001 (which require Halifax to have arrangements for compensating retail clients including the holding of professional indemnity insurance cover); and
- (c) Chapter 7 of the Act regarding the provision of a financial service to a person as a retail client or wholesale client if that person was a client immediately prior to the suspension of the Licence taking effect (the suspension took effect when served on 8 January 2019) and if the financial service concerns the termination of an existing arrangement with the client.

Dated this 22nd day of December 2020

Signed

Grame D. Man. Graeme Darcy Plath

#### Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 911A(2)(I) — Amendment

#### **Enabling legislation**

 The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(1) of the Corporations Act 2001.

#### Title

This instrument is ASIC Instrument 21-0025.

#### Commencement

This instrument commences on gazettal.

#### Amendment

ASIC Instrument 15-0209 is amended by, before Schedule A, inserting:

#### "Cessation

This instrument ceases to apply at the end of the period referred to in subitem 1(3) of Schedule 2 to ASIC Corporations (Repeal and Transitional) Instrument 2016/396.".

Dated this 15th day of January 2021.

Signed by Andrew Duffy

as a delegate of the Australian Securities and Investments Commission

Puffy

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

#### **Enabling legislation**

 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 21-0031.

#### Commencement

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

#### Declarations

- Chapters 6 and 6C of the Act apply to Comms Group Limited ACN 619 196 539 (Company) 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".
- Chapters 6 and 6C of the Act apply to the Company 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);"

 Chapter 6C of the Act applies to the Company 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 after subparagraph (7)(c) inserting:

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

#### Where this instrument applies

 The instrument applies in relation to the Company acquiring a relevant interest in up to 104,112,456 ordinary shares in the Company (Escrowed Securities) arising because the

Company has entered into one or more escrow agreements or deeds (each an *Escrow Arrangement*) with a *Security Holder* in connection with the proposed acquisition of Next Telecom Pty Ltd ACN 074 728 724 where each Escrow Arrangement:

- (a) does not restrict the exercise of voting rights attached to the Escrowed Securities;
- (b) in the case of a takeover bid (including both a full or proportional bid):
  - allows the 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
  - 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 compromise or arrangement under Part 5.1 of the Act;
- (d) terminates no later than 24 months following the date of issue of the Escrowed Securities; and
- (e) is substantially in the same form as the draft escrow agreement provided to ASIC via email on 22 December 2020.

#### Interpretation

8. In this instrument:

Security Holder means any of the following persons who hold shares in the Company:

- (a) Nashar Pty Limited ACN 071 435 231 as trustee for the Ryan O'Hare Family Discretionary Trust ABN 88 592 272 398;
- (b) GMNM Consulting Pty Ltd ACN 128 913 673 as trustee for the GMNM Consulting Trust ABN 97 340 189 395;
- (c) Mark Lawrence Manion;
- (d) Gary Robert Linger;
- (e) Annette Sylvia Presley and Professional Trustees Limited NZCN 2317528 as joint trustees for the Kylie.co.nz Trust IRD number 083-847-123;
- (f) Pesca Holdings Pty Limited ACN 003 822 384 as trustee for OHare Family Trust ABN 73 878 239 791;

- (g) Cecpam Pty Ltd ACN 160 608 266 as trustee for the Karen Jones Superfind ABN 86 371 394 224;
- (h) Carol Ann O'Hare; and
- (i) Karen Sandra Jones.

Dated this 13th day of January 2021

Signed by Kyle Wright

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

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

TO: Alterra Limited
ACN 129 035 221 ("the Licensee")
144 Northwood Street
WEST LEEDERVILLE WA 6007

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 338250 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 13 January 2021

Signed

Elizabeth Lee

E. Lee

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

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

TO: O.M.W. Pty. Limited ACN 006 509 511 ("the Licensee") 461 Whitehorse Road BALWYN VIC 3103

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 484929 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 January 2021

Signed

Elizabeth Lee

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

Notice of Cancellation of an Australian Financial Services Licence

TO: The Master Builders Association of Victoria ACN004 255 654 ("the Licensee") 332 Albert Street East Melbourne VIC 3002

Pursuant to 915B(3)(d) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 245459 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 January 2021

Signed E. Lee

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

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

TO: Martin Financial Advisers Pty Ltd ACN 098 681 988 ("the Licensee") Suite 3 476 Canterbury Road FOREST HILL VIC 3131

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 243192 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 January 2021

Signed

Elizabeth Lee

#### Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 911A(2)(I) — Amendment

#### **Enabling legislation**

 The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(1) of the Corporations Act 2001.

#### Title

This instrument is ASIC Instrument 21-0050.

#### Commencement

This instrument commences on gazettal.

#### Amendment

- ASIC Instrument 14-0822 is amended by inserting after paragraph 8, inserting:
  - "9. This instrument ceases to apply at the end of the period referred to in subitem 1(3) of Schedule 2 to ASIC Corporations (Repeal and Transitional) Instrument 2016/396."

Dated this 15th day of January 2021.

Andrew Rufty

Signed by Andrew Duffy

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

#### Enabling legislation

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

#### Title

2. This instrument is ASIC Instrument 21-0052.

#### Commencement

This instrument commences on the date that it is signed.

#### Exemption

 Golden River and its Controllers do not have to comply with section 606 of the Act.

#### Where this instrument applies

- 5. This instrument applies where:
  - (a) Golden River and its Controllers acquire a relevant interest in the Shares as a result of the transfer of the Shares to Golden River on implementation of the Court Order and pursuant to the DOCA;
  - (b) on 15 October 2020, a notice informing all Shareholders of the Proceedings was served by post or by electronic mail to all Shareholders by the Deed Administrators, with such notice advising Shareholders that the documents listed in paragraph (c) would be available for download from the Websites; and
  - (c) the Deed Administrators made electronically available to Shareholders the:
    - (i) Explanatory Statement and Experts' Report; and
    - (ii) the Originating Process filed in the Proceedings.

#### Interpretation

6. In this instrument:

Centennial Mining means Centennial Mining Ltd (subject to deed of company arrangement) ACN 149 308 921.

Controllers means entities or persons who by operation of section 608 of the Act acquire a relevant interest in the Shares when Golden River acquires a relevant interest in such Shares.

Court Order means the order of the Supreme Court of Western Australia in the Proceedings dated 24 November 2020, permitting the Deed Administrators to transfer the Shares under section 444GA of the Act.

**Deed Administrators** means Richard Tucker, Leanne Chesser and John Bumbak of KordaMentha as joint and several voluntary deed administrators of Centennial Mining and its wholly owned subsidiary, Maldon Resources.

DOCA means the deed of company arrangement between (amongst others) Centennial Mining and the Deed Administrators dated 7 June 2019, as amended and varied from time to time, including on 20 October 2020.

Experts' Report means the experts' report dated 6 November 2020 prepared by the Deed Administrators, including the annexed independent valuation report prepared by Esteban Acuņa and Steve Hinde of RPM Advisory Services Pty Ltd dated 29 October 2020 and the independent appraisal report prepared by Ben Gibson and Nelson Kennedy of Gordon Brothers Pty Limited dated 2 October 2020.

Explanatory Statement means the undated explanatory statement prepared by the Deed Administrators and made available on the Websites on or around 9 November 2020.

Golden River means Golden River Resources Pty Ltd ACN 643 877 767.

Maldon Resources means Maldon Resources Pty Ltd (subject to deed of company arrangement) ACN 090 458 665.

Proceedings means the application to the Supreme Court of Western Australia in action no. COR/124/2020.

Shareholders means all of the shareholders of Centennial Mining registered in the company's share register as at 15 October 2020.

Shares means all of the issued ordinary shares in Centennial Mining.

Websites means <a href="https://www.kordamentha.com/creditors/centennial-mining-maldon-resources">https://www.kordamentha.com/creditors/centennial-mining-maldon-resources</a> and <a href="https://www.centennialmining.com/">https://www.kordamentha.com/creditors/centennial-mining-maldon-resources</a> and <a href="https://www.centennialmining.com/">https://www.kordamentha.com/creditors/centennial-mining-maldon-resources</a> and <a href="https://www.centennialmining.com/">https://www.kordamentha.com/creditors/centennial-mining-maldon-resources</a> and <a href="https://www.centennialmining.com/">https://www.centennialmining.com/</a>.

Dated this 15th day of January 2021

Signed by Samantha Griffiths

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Page 38 of 41

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 fifteenth day of January 2021

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Scheme ARSN

STRATTON STREET NEW CAPITAL WEALTHY NATIONS BOND FUND 162 785 284

Company/Scheme deregistration

Page 39 of 41

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 January 2021

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
PRO LABORE DEI	143 779 248
TALON METALS CORP.	638 599 998

Page 40 of 41

CORPORATIONS ACT 2001 Section 601CL(5)

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

Dated this fifteenth day of January 2021

Rosanne Bell DELEGATE OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Name of Company	ARBN
LINEAR TECHNOLOGY CORPORATION LIMITED	128 308 912
LONGARCH CAPITAL PTE. LTD.	632 076 790
SUDILES	610 516 491
2111405 ONTARIO INC.	625 368 345

#### No. A03/21, Tuesday 19 January 2021

Change of company type

Page 41 of 41

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.

ACH NICKEL PTY LTD ACN 600 008 848 will change to a public company limited by shares. The new name will be LUNNON METALS LIMITED ACN 600 008 848.

#### SAYEN GLOBAL HOLDINGS LIMITED

ACN 622 556 021 will change to a proprietary company limited by shares. The new name will be SAYEN GLOBAL HOLDINGS PTY LTD ACN 622 556 021.

**TRUSLEND CAPITAL LTD** ACN 637 970 177 will change to a proprietary company limited by shares. The new name will be TRUSLEND CAPITAL PTY LTD ACN 637 970 177.

#### OMNI TANKER HOLDINGS PTY LTD

ACN 135 288 489 will change to a public company limited by shares. The new name will be OMNI TANKER HOLDINGS LIMITED ACN 135 288 489.

#### **SKALATA VENTURES LIMITED**

ACN 626 812 520 will change to a proprietary company limited by shares. The new name will be SKALATA VENTURES PTY LTD ACN 626 812 520.