





Commonwealth of Australia Gazette

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RIGHTS OF REVIEW

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

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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 1 March 2023.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

IN THE MATTER OF JUSTIN EDWARD HAMPSHIRE

SECTIONS 920A AND 920B OF THE CORPORATIONS ACT 2001

To: Mr Justin Edward Hampshire

TAKE NOTICE that under s920A and s920B of the *Corporations Act 2001* the Australian Securities and Investments Commission permanently prohibits **Justin Edward Hampshire** from:

- i. providing any financial services; and
- controlling, whether alone or in concert with one or more other entities, an entity that carries on a financial services business; and
- performing any function involved in the carrying on of a financial services business (including as an officer, manager, employee, contractor or in some other capacity).

Dated this 6th day of February 2023

Signed:

Lisa Lu

Delegate of the Australian Securities and Investments Commission

Your attention is drawn to s920C(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 s920C(2) is an offence.

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23-0060

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Superannuation Industry (Supervision) Act 1993 Subsection 130F(2)

DISQUALIFICATION ORDER

To: Wayne Simpson

Approved SMSF auditor registration number SAN 100136276

Under s130F(2) of the Superannuation Industry (Supervision) Act 1993 the Australian Securities and Investments Commission disqualifies Wayne Simpson from being an approved SMSF auditor with effect from 9th February 2023.

Dated this 2nd of February 2023

Signed:

Scott Rea

Delegate of the Australian Securities and Investments Commission

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23-0097

Australian Securities and Investments Commission Corporations Act 2001 Section 915B

Notice of Cancellation of an Australian Financial Services Licence

TO: P4A SERVICES PTY LTD
ACN 098 359 105 ("the Licensee")
4 Coogee Place
Port Melbourne Vic 3207

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 227182 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 2 March 2023

Jedo Charles

Signed

A delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission Corporations Act 2001 Section 915B

Notice of Cancellation of an Australian Financial Services Licence

TO: Superfund Works Pty. Ltd. ACN 163 116 265 ("the Licensee") Suite 403 448 St Kilda Road Melbourne VIC 3004

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 488986 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 1 March 2023

Jedo Charles

Signed

A delegate of the Australian Securities and Investments Commission

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23-0137

Australian Securities and Investments Commission Corporations Act 2001 Section 915B

Notice of Cancellation of an Australian Financial Services Licence

TO: Shareclarity Limited
ARBN 611 962 620 ("the Licensee")
Level Three, 10 Vulcan Lane
Auckland 1010
NEW ZEALAND

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 487703 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 1 March 2023

Jedo Charles

Signed

A delegate of the Australian Securities and Investments Commission

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 taken the action set out in the Notice below, which action took effect on 17 February 2023

Australian Securities and Investments Commission

In the matter of Sean Colville Niven

Banning order under sections 920A and 920B

of the Corporations Act 2001

To: Sean Colville Niven

Take notice that under s920A(1) and s920B(2) of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Sean Colville Niven permanently from:

- (a) providing any financial services;
- (b) performing any function involved in the carrying on of a financial services business (including as an officer, manager, employee, contractor or in some other capacity);
 and
- (c) controlling an entity that carries on a financial services business.

Dated this 31st day of January 2023.

WOH

Signed:

Kate Dluzniak

Delegate of the Australian Securities and Investments Commission

Your attention is drawn to s920C(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 s920C(2) is an offence.

Australian Securities and Investments Commission Corporations Act 2001 —Subsection 926A(2) — Exemption

Enabling legislation

 The Australian Securities and Investments Commission (ASIC) makes this instrument under paragraph 926A(2)(a) of the Corporations Act 2001 (the Act).

Title

2. This instrument is ASIC Instrument 23-0140

Commencement

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

Exemptions

- The following persons do not have to comply with the requirement to hold an Australian financial services licence under subsection 911A(1) of the Act:
 - (a) Tattarang Pty Ltd, ACN 055 961 361, (*Tattarang*) in its capacity as the trustee of The Peepingee Trust ABN 44 994 119 389, a discretionary trust formed by deed dated 23 December 1992 as amended from time to time;
 - (b) Harvest Road Group Pty Ltd, ACN 169 138 014;
 - (c) SFM Marine Pty Ltd, ACN 635 191 123;
 - (d) RM Williams Pty Ltd, ACN 007 527 166; and
 - (e) Australian Industrial Energy Pty Ltd, ACN 624 375 417.
- Minderoo Foundation Limited ACN 651 422 141 (Minderoo) in its capacity as the trustee of The Minderoo Foundation Trust ABN 24 819 440 618, a discretionary trust formed by deed dated 15 October 2013 as amended from time to time, does not have to comply with the requirement to hold an Australian financial services licence, under subsection 911A(1) of the Act.

Where exemptions apply

- The exemption in paragraph 4 applies where all the following are satisfied:
 - (a) a person specified in paragraph 4 provides a financial service to a company as a wholesale client; and
 - (b) the Forrest Family is the owner of Tattarang; and
 - (c) Tattarang is the company or owner of the company.
- 7. The exemption in paragraph 4 applies where all the following are satisfied:
 - (a) a person specified in paragraph 4 provides a financial service to a company as a wholesale client; and
 - (b) the Forrest Family is the owner of Minderoo; and
 - (c) Minderoo is the company or owner of the company.

- 8. The exemption in paragraph 5 applies where:
 - (a) Minderoo provides a financial service to a company as a wholesale client; and
 - (b) subparagraphs 7(b) and 7(c) are met.

Interpretation

In this instrument:

company has the meaning given by section 9 of the Act.

financial service has the meaning given by section 766A of the Act.

Forrest Family means one or more of:

- (a) John Andrew Henry Forrest; and
- (b) Nicola Margaret Forrest; and
- (c) a relative of a person described in (a) or (b).

owner means either directly or indirectly, including through intermediaries or other discretionary trusts, owning more than 50% of the shares of the company, or being more than 50% of the members of the company limited by guarantee, irrespective of whether the ownership is in a fiduciary capacity.

relative has the meaning given by section 9 of the Act.

wholesale client has the meaning in section 761A of the Act.

Dated this 27th day of February 2023

Signed by Jacob Sims

as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission Corpor ations Act 2001 — Subsection 601QA(1) — Declaration

Enabling legislation

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

Title

This instrument is ASIC Instrument 23-0144.

Commencement

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

Repeal

ASIC Instrument 16-1243 is repealed.

Dated this 2nd day of March 2023.

Signed by Uday Piyaratne

as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission

Corporations Act 2001 - Paragraphs 926A(2)(a), 951B(1)(a), 992B(1)(a) and 1020F(1)(a) - Exemptions

Enabling power

 The Australian Securities and Investments Commission (ASIC) makes this instrument under paragraphs 926A(2)(a), 951B(1)(a), 992B(1)(a) and 1020F(1)(a) of the Corporations Act 2001 (the Corporations Act).

Title

This instrument is ASIC Instrument 23-0145.

Commencement

This instrument commences on the day it is signed.

Exemption

- International Air Transport Association ARBN 002 545 226 (IATA) does not have to comply with:
 - (a) subsection 911A(1), Part 7.7 and Part 7.8 of the Corporations Act for the provision of a financial service in relation to the EasyPay 2.0 Facility; and
 - (b) Part 7.9 of the Corporations Act in relation to the EasyPay2.0 Facility.

Where exemptions apply

- The exemptions in paragraph 4 of this instrument apply where each of the following is satisfied:
 - (a) under the terms of the EasyPay 2.0 Facility:
 - the travel agent may pay money to IATA to be credited to the travel agent's account with IATA (EasyPay wallet);
 - IATA will hold the balance of EasyPay wallets for travel agents in Australia in an account with an Australian ADI (EasyPay ADI account);
 - the travel agent may make a payment to an airline by authorising transfer of monies from the travel agent's EasyPay wallet into a separate account maintained by IATA with an Australian ADI (Hinge account);

- (iv) the travel agent will be given a unique virtual card number to use when authorising a payment from their EasyPay wallet and IATA will record all transactions made using that virtual card number to track airline ticket and ancillary services purchase transactions settled through the EasyPay ADI account which are attributable to that travel agent;
- if the travel agent authorises a payment from their EasyPay wallet,
 IATA will cause a corresponding amount to be blocked in the EasyPay
 ADI account and from that time that amount is held for the benefit of
 the airline and transferred to the Hinge account within 24 hours (from
 where it will be sent to the airline);
- (vi) the airline ticket and ancillary services to which the payment relates is valid from the time that the monies in the EasyPay ADI account are blocked in accordance with paragraph 5(a)(v);
- (b) under arrangements between IATA and the Participating BSP Airlines:
 - the payment by the travel agent is regarded as having been made, and the airline ticket and ancillary services to which the payment relates is valid, from the time the monies in the travel agent's EasyPay ADI account are blocked in accordance with paragraph 5(a)(v);
 - (ii) if monies that are paid by IATA into the Hinge account on request of the travel agent are not subsequently transferred to the airline for any reason, the airline ticket and ancillary services issued to the travel agent will remain valid and the airline does not have any recourse against the travel agent for non-payment;
- (c) IATA holds all monies paid by travel agents into their EasyPay wallet in an account that is:
 - held by IATA with an Australian ADI;
 - (ii) separate from IATA's working capital and the Hinge account;
 - (iii) held on behalf of the travel agents and the airlines that are entitled to the money held in the account; and
 - (iv) not available to creditors other than the travel agents and the airlines that are entitled to the money held in the account in the event of insolvency of IATA.

Conditions

- 6. The exemption in paragraph 4 is subject to the following conditions:
 - (a) IATA must disclose to the travel agent, prior to being given access to the EasyPay 2.0 Facility, the terms and conditions of the EasyPay 2.0 Facility;
 - IATA must provide the travel agent with the ability to check the balance of their EasyPay wallet;
 - if a payment is made without authorisation by the travel agent, IATA must ensure that a refund will be applied to the travel agent's EasyPay wallet;
 - (d) IATA must only make the EasyPay 2.0 Facility available for use by a business for business purposes;
 - (e) under the terms and conditions of the EasyPay 2.0 Facility, IATA must provide the travel agent with access to a complaints dispute mechanism; and
 - (f) IATA must be a member of the AFCA scheme.

Interpretation

In this instrument:

AFCA scheme means the external dispute resolution scheme operated by the Australian Financial Complaints Authority.

ancillary services means optional air travel ancillary products and services offered by airlines, other than airline tickets, directly linked to the underlying air transport services including for example:

- (a) airline upgrades;
- (b) lounge access;
- (c) extra baggage;
- (d) internet access during flights; and
- (e) extra meals.

EasyPay 2.0 Facility means a non-cash payment facility provided by IATA to a travel agent through which the travel agent may make payments for airline tickets and ancillary services that are acquired by the travel agent through a booking system and billing and settlement plan managed by IATA.

non-cash payment facility means a facility through which, or through the acquisition of which, a person makes non-cash payments.

Participating BSP Airlines means airlines which have agreed in writing to participate in IATA's billing and settlement plan.

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23-0145

Dated this 1st day of March 2023

Isabellaberry

Signed by Isabella Kang as a delegate of the Australian Securities and Investments Commission

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23-0146

NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is given under section 915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 28 February 2023.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION CORPORATIONS ACT 2001 SECTION 915C

NOTICE OF CANCELLATION OF AUSTRALIAN FINANCIAL SERVICES LICENCE

To: Capital Capital Pty Ltd ACN 632 066 561

Under section 915C of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 519946 held by Capital Capital Pty Ltd ACN 632 066 561.

Dated this 27th day of February 2023

Signed: CCult

Christine Croft

Delegate of the Australian Securities and Investments Commission

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

Enabling legislation

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

Title

This instrument is ASIC Instrument 23-0147.

Commencement

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

Declaration

- Chapter 6 of the Act applies to Technology Growth Capital LLC (Bidder) as if Part 6.5 of the Act were modified or varied as follows:
 - (a) at the end of section 648C, add:

"; or

- (c) in accordance with section 648CA.";
- (b) after section 648C, insert:

"648CA Deemed manner of sending documents

- A document is deemed to have been sent to a holder of securities in relation to offers under an off-market bid for the purposes of this Chapter where all of the following are satisfied:
 - (a) the holder has nominated an electronic address for the purposes of receiving electronic copies of shareholder communications, including notices of meetings and proxy forms, from the target;

- (b) an electronic message is sent to the nominated electronic address of the holder, which contains links to an electronic copy of the document that is in a form that allows text within the copy to be searched by a computer;
- (c) the person sending the electronic message does not receive a notification to the effect that the electronic message is unable to be delivered to the nominated electronic address; and
- (d) facilities are in place that enable the holder, through an online portal or website that is accessible by the holder or a telephone number, to request that the document is to be sent to the holder by a manner specified in section 648C.
- (2) For the purposes of subsection (1):

document, in relation to an off-market bid, means:

- (a) a bidder's statement;
- (b) offers (within the meaning of section 620) and any variation; or
- (c) a supplementary statement.".

Where this instrument applies

- 5. This instrument applies in relation to the off-market takeover bid (Bid) by the Bidder for all of the ordinary shares in Nitro Software Limited ACN 079 215 419 (Target) on issue which the Bidder does not own, in respect of which a bidder's statement was lodged by the Bidder with ASIC on 28 October 2022 (as supplemented by the first through ninth supplementary bidder's statements) and where by 7:30pm AEST on the date of this declaration, the Bidder has provided to ASX Limited ACN 008 624 691 (ASX) for release on the financial market operated by ASX, an announcement:
 - (a) explaining the effect of the declaration;
 - (b) that includes a statement to the effect that Target shareholders may request to be sent hard copies of the documents:
 - if the holder is outside of Australia—by pre-paid airmail post or by courier;
 or

- (ii) if the holder is in Australia—by pre-paid ordinary post or by courier,and a statement that explains how shareholders can make this request; and
- (c) includes a statement to the effect that the fact that ASIC has granted this relief in connection with the Bid should not be taken as a reflection of ASIC's views on any other aspect of the Bid.

Dated this 2nd day of March 2023

Signed by Adam Prior

as a delegate of the Australian Securities and Investments Commission

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 23-0149.

Commencement

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

Exemptions

4. Challenger Limited ACN 106 842 371 (Challenger) and UBS AG, Australia Branch ABN 47 088 129 613 (in its capacity as nominated purchaser under the terms of the CCN2) (UBS) do not have to comply with Division 5A of Part 7.9 of the Act in relation to unsolicited offers they make to Eligible CCN2 Holders to participate in the Reinvestment Offer.

Conditions of the relief

- Challenger must give or send to each Eligible CCN2 Holder, a copy of the Prospectus which complies with paragraph 6, by:
 - (a) giving the Prospectus to the Eligible CCN2 Holder; or
 - (b) sending:
 - by post to the address for the Eligible CCN2 Holder in the Register of Members or an alternative address (if any) nominated by the Eligible CCN2 Holder; or
 - (ii) to the electronic address (if any) nominated by the Eligible CCN2 Holder,

an information postcard or letter which will provide information on how an Eligible CCN2 Holder may:

- (A) access a copy of the Prospectus from the Offer specific website; and
- (B) request a printed copy of the Prospectus.

- 6. 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;
 - information about the minimum and maximum number (if any) of CCN2 a participating Eligible CCN2 Holder can elect to participate in the Reinvestment Offer;
 - a statement that the market price of CCN2 is subject to change from time to time;
 - (d) a statement that an Eligible CCN2 Holder may be able to sell or dispose of their CCN2 at a price higher or lower than the price they would receive if they were to participate in the Reinvestment Offer;
 - (e) information about how to obtain up-to-date information on the market price of CCN2:
 - (f) information about any other significant characteristics or features of the Reinvestment Offer or of the rights and obligations of Eligible CCN2 Holders who elect to participate in the Reinvestment Offer; and
 - information about any alternatives that the Eligible CCN2 Holder may have to participating in the Reinvestment Offer; and
- The Reinvestment Offer must remain open for the period described in the Prospectus unless the Capital Notes 4 offer is withdrawn.

Interpretation

8. In this instrument:

Capital Notes 4 means fully paid, non-cumulative, convertible, transferrable, redeemable, subordinated, perpetual, and unsecured notes to be issued by Challenger under the Prospectus;

CCN2 means the perpetual, subordinated, unsecured notes issued by Challenger under a replacement prospectus dated 8 March 2017 that are trading on ASX under the code "CGFPB";

Eligible CCN2 Holder means a person who is a registered holder of CCN2 at 7:00pm (Australian Eastern Daylight Time) on 3 March 2023, shown on the Register of Members as having an address in Australia, and is not an individual residing in a member state of the European Union or the United States or acting as a nominee for, or for the account or benefit of, a person in the United States and not otherwise prevented from receiving the Reinvestment Offer or Capital Notes 4 under the laws of any jurisdiction;

Prospectus means the transaction specific prospectus for the Capital Notes 4 (including the Reinvestment Offer) to be lodged with ASIC on or about 7 March 2023 and which includes the terms of the Reinvestment Offer in substantially the same form and terms as that provided to ASIC on 28 February 2023;

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

Reinvestment Offer means the reinvestment offer as described in the Prospectus; and

Offer means the offer made through the Prospectus by Challenger of Capital Notes 4 to retail investors in Australia.

Dated this 2nd day of March 2023

Signed by Sean Ferguson

as a delegate of the Australian Securities and Investments Commission

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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 third day of March 2023

Name of Company

AQUAMORE ASSET MANAGEMENT FUND AQUAMORE INVESTMENT FUND

ARSN

616 894 672 616 893 844

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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 third day of March 2023

Name of Company

COSMOS GLOBAL DIGITAL MINERS ACCESS ETF MAGELLAN GSS INFRASTRUCTURE FUND

ARSN

652 817 840 641 241 303

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CORPORATIONS ACT 2001 Section 601CC(3)

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

Dated this third day of March 2023

Name of Company

TOUCH RUGBY LEAGUE REFEREES ASSOCIATION INC.

ARBN

604 873 449

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CORPORATIONS ACT 2001 Subsection 601CC(4)

ASIC has struck the registered Australian bodies listed below off the register.

Dated this third day of March 2023

Name of Company	ARBN
BALLARAT DISTRICT NURSING AND HEALTHCARE INC.	131 120 333
KARINGAL INC.	158 375 903
MENTAL HEALTH WEEK INC.	630 948 284
RENEWABLE ENERGY SOCIETY INC	159 676 641

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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 third day of March 2023

Name of Company

KAHU VETERINARY EQUIPMENT LIMITED SAVARIA CORPORATION STREAMTIME SOFTWARE LIMITED YANKEE BOOK PEDDLER, INC **ARBN**

609 611 109 636 562 322 131 249 173 100 417 614

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CORPORATIONS ACT 2001 Section 601CL(5)

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

Dated this third day of March 2023

Name of Company	ARBN
AMIUS LIMITED	649 951 100
BIRDIE LOVE LLC	651 474 225
CALVERT RESEARCH AND MANAGEMENT	635 157 434
COCKETT MARINE OIL PTE. LTD.	162 902 427
GAS RESOURCES LIMITED	126 082 915
MERSIVE UK LIMITED	631 672 761
PARAMETRIC PORTFOLIO ASSOCIATES LLC	153 743 894
QUADRANT REAL ESTATE ADVISORS LLC	123 863 963
SIGFOX SINGAPORE PTE. LTD.	616 641 117
THE INTERNATIONAL ASSOCIATION OF CONTACT LENS EDUCATORS (IACLE)	164 469 970
THE SUN FINANCIAL TECHNOLOGY CO., LIMITED	650 688 038

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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.

BARDOC GOLD LIMITED ACN 125 578 743 will change to a proprietary company limited by shares. The new name will be BARDOC GOLD PTY LTD ACN 125 578 743.

GORGON MINERALS LIMITED ACN 658 013 033 will change to a proprietary company limited by shares. The new name will be GORGON MINERALS PTY LTD ACN 658 013 033.

DROP BIO PTY LTD ACN 630 687 017 will change to a public company limited by shares. The new name will be DROP BIO LTD ACN 630 687 017.

ULTRA POWER SYSTEMS PTY LTD

ACN 620 676 995 will change to a public company limited by shares. The new name will be ULTRA POWER SYSTEMS LIMITED ACN 620 676 995.