



**ASIC**  
Australian Securities &  
Investments Commission

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# ASIC Gazette

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### RIGHTS OF REVIEW

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

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23-0212

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

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

TO: Omni Bridgeway Investment Management Limited  
ACN 642 086 593 ("The Licensee")  
C/- Omni Bridgeway Limited  
Level 18, 68 Pitt St  
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 524023 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 28 March 2023

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0223

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

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

TO: Balance Legal Capital Llp  
ACN 643 292 942 ("The Licensee")  
25 Southampton Buildings Holborn  
LONDON WC2A 1AL

Pursuant to paragraph 915B(2)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 527315 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 28 March 2023

Signed



Jedo Charles  
a delegate of the Australian Securities and Investments Commission

23-0224

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 926A(1)(c) - Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 926A(1)(c) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 23-0224.

**Commencement**

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

**Declaration**

4. Part 7.6 of the Act applies to Australia and New Zealand Banking Group Limited ACN 005 357 522 (*ANZ*) as if the following provisions of section 912AAC (as notionally inserted under ASIC Class Order [CO 13/1410]) were modified or varied as follows:

- (a) omit subsection (5), substitute:

“(5) The financial services licensee must ensure that it and do all things necessary to ensure that any person the financial services licensee directly or indirectly engages to hold custodial property:

- (a) as far as practicable identifies the custodial property as property held on behalf of the person for whom it is held (except where the custodial property is Australian carbon credit units); and
- (b) holds the custodial property separately from property in which the financial services licensee or the person holding the custodial property has an interest and from the property of any other person other than the client except in relation to custodial property that comprises:
  - (i) a deposit taking facility of a body carrying on a business of accepting money on deposit including rights under that facility; or
  - (ii) securities (as defined in subsection 92(1)); or
  - (iii) derivatives,held separately from property in which the person holding the property or the financial services licensee has an interest other than as a trustee for a person that is not the financial services licensee, except where property is not held separately to comply with paragraph (6)(f); or
- (iv) Australian carbon credit units;”

- (b) omit the opening paragraph of subsection (6), substitute:

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“(6) Except where the custodial property comprises Australian carbon credit units, the financial services licensee must do all things necessary to ensure that, if custodial property is not held separately from property in which the financial services licensee or the person holding the custodial property has an interest and separately from the property of any other person other than the client:”

**Where this instrument applies**

5. This instrument applies only where:
- (a) ANZ is a Pilot Participant in the CBDC Pilot under a Pilot Participation Agreement with the RBA;
  - (b) ANZ is providing a custodial or depository service in relation to Australian carbon credit units (*ACCUs*) in connection with the CBDC Pilot (the *Pilot ACCUs*);
  - (c) ANZ holds the Pilot ACCUs on trust for the Pilot Customer;
  - (d) each of the Pilot ACCUs has been given a unique serial number and are distinguishable in records maintained by ANZ from all other ACCUs that are legally and beneficially held by ANZ and from the property of any other person other than the Pilot Customer;
  - (e) the Pilot ACCUs are held in a registry account as defined under section 4 of the *Australian National Registry of Emissions Units Act 2011* with the Clean Energy Regulator in the name of ANZ (the *ANZ Registry Account*);
  - (f) the Pilot Customer has contributed a maximum of \$10,000 as a beneficiary of the trust established by ANZ in connection with the CBDC Pilot;
  - (g) the Pilot Customer is unable to transfer the Pilot ACCUs from the ANZ Registry Account while the Pilot ACCUs are held on trust by ANZ; and
  - (h) prior to holding any ACCUs on trust for the Pilot Customer, ANZ provides a notification in writing to the Pilot Customer outlining the following:
    - (i) that the holding of the ACCUs on trust for the Pilot Customer is subject to a declaration under paragraph 926A(1)(c) and a summary of the nature of the declaration; and
    - (ii) that the Pilot ACCUs will be held in the ANZ Registry Account.

**Where this instrument ceases to apply**

6. This instrument ceases to apply on the earlier of ANZ ceasing to hold the Pilot ACCUs on trust for the Pilot Customer and the 31 May 2023.

**Interpretation**

7. In this Instrument:

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*CBDC Pilot* means the central bank digital currency pilot project administered by the Reserve Bank of Australia and the Digital Finance Cooperative Research Centre.

*CBDC Pilot Participation Agreement* means, in relation to a Pilot Participant, an agreement between the Pilot Participant and the RBA that covers the terms and conditions of the Pilot Participant's participation in the CBDC Pilot.

*custodial or depository service* has the meaning given by section 766E of the Act.

*Pilot Customer* means the one wholesale client who has entered into an arrangement with ANZ for ANZ to provide custodial or depository services in connection with the CBDC Pilot.

*Pilot Participant* means an entity that has entered into a CBDC Pilot Participation Agreement with the RBA.

*RBA* means the Reserve Bank of Australia.

*wholesale client* has the meaning given by subsection 761G(4) of the Act.

Dated this 27th day of March 2023



Signed by Leanne Damary  
as a delegate of the Australian Securities and Investments Commission

23-0225

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

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

TO: Bennett Partners Pty Ltd  
ACN 010 430 314 ("the Licensee")  
122 Wood St  
Mackay QLD 4740

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 483051 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 27 March 2023

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0226

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

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

TO: Advocate Strategic Investments Pty Ltd  
ACN 101 691 598 ("the Licensee")  
17 Nicholson Street  
WOODEND VIC 3442

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 224560 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 27 March 2023

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission



23-0228

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 669(1)(b) – Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 669(1)(b) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 23-0228.

**Commencement**

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

**Declaration**

4. Section 661A of the Act, as varied by ASIC Class Order [CO 13/522], applies as if subparagraph 661A(2A)(a)(i) of the Act were modified or varied by inserting after the words "*in which the bidder or their associate has a relevant interest at the date of the first offer under the bid*" the following words:

*" , other than securities in which the bidder or their associate has a relevant interest arising from an acquisition to which the exception in item 2 of the table in section 611 applies"*

**Where this instrument applies**

5. The declaration in paragraph 4 of this instrument applies to the Company for the purposes of the off-market takeover bid by the Company for all of the ordinary shares in New Century Resources Ltd (ACN 142 165 080), in respect of which a bidder's statement was lodged with ASIC on 21 February 2023.

**Interpretation**

6. In this instrument:

*Company* means Sibanye Resources Australia Pty Ltd (ACN 665 669 689).

Dated this 27<sup>th</sup> day of March 2023



.....  
Signed by Sean Ferguson  
as a delegate of the Australian Securities and Investments Commission

23-0231

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 23-0231.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to Mincor Resources NL ACN 072 745 692 (*Target*) as if Part 6.5 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**

- (1) A target’s statement is deemed to have been sent to a holder of securities in relation to offers under an on-market bid for the purposes of this Chapter where either:

- (a) all of the following are satisfied:

- (i) the holder has nominated an electronic address for the purposes of receiving electronic copies of shareholder communications from the person sending the target’s statement;
- (ii) an electronic message is sent to the nominated electronic address of the holder, which contains links to an electronic copy of the target’s statement that is in a form that allows text within the copy to be searched by a computer;

- (iii) 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
  - (iv) facilities are in place that enable the holder, either through an online portal or website that is accessible by the holder or a telephone number specified in the electronic message or target's statement, to request that the target's statement is to be sent to the holder by a manner specified in paragraph 648C(a) or (b), or
- (b) all of the following are satisfied:
- (i) the holder has not nominated an electronic address for the purposes of receiving electronic copies of shareholder communications from the person sending the target's statement;
  - (ii) a letter or postcard (the *Postcard*) is sent to the registered address of the holder, which contains a Uniform Resource Locator to an electronic copy of the target's statement that is in a form that allows text within the copy to be searched by a computer; and
  - (iii) facilities are in place that enable the holder, either through an online portal or website that is accessible by the holder or a telephone number specified in the Postcard or target's statement, to request that the target's statement is to be sent to the holder by a manner specified in subsections 648C(a) or (b)."

**Where this instrument applies**

5. This instrument applies in relation to the on-market takeover bid (*Bid*) by Wyloo Consolidated Investments Pty Ltd ACN 646 337 439 (*Bidder*) for all of the ordinary shares in the Target, in respect of which a bidder's statement was lodged by the Bidder with ASIC on 21 March 2023 where by 7:30pm AWST on the date of this declaration, the Target 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 target's statement:
    - (i) 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

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- (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 29<sup>th</sup> day of March 2023



Signed by Genevieve Lai  
as a delegate of the Australian Securities and Investments Commission

23-0232

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 23-0232.

**Commencement**

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

**Declarations**

4. Chapter 6 of the Act applies to Bioxyne Limited ACN 084 464 193 (the *Company*) as if section 609 of the Act were modified or varied by omitting subsections 609(13C) – 609(13D) (as notionally inserted by ASIC Class Order [CO 13/520]).

**Where this instrument applies**

5. The declaration in paragraph 4 applies to the acquisition of a relevant interest in up to 1,230,000,000 fully paid ordinary shares in the Company (*escrow securities*) arising as a result of the entry into one or more voluntary escrow agreements or deeds (each an *escrow agreement*) between the Company and a Security Holder in connection with the proposed acquisition of 100% of the issued share capital of Breathe Life Sciences Pty Ltd ACN 647 597 822 (*BLS*) where each escrow agreement:
  - (a) does not restrict the exercise of voting rights attaching to the escrow securities;
  - (b) in the case of a takeover bid (including a proportional takeover bid):
    - (i) allows each Security Holder to accept into the takeover bid where the holders of at least half of the bid class securities that are not subject to escrow have accepted into the bid; and
    - (ii) requires that the escrow securities be returned to escrow if the bid does not become unconditional;
  - (c) allows the escrow securities to be transferred or cancelled as part of a merger by way of a compromise or arrangement under Part 5.1;

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- (d) terminates no later than 24 months after entry into the escrow agreement;
- (e) where the Security Holder is permitted to create a security interest in some or all of the escrow securities in favour of a person whose relevant interests in the escrow securities does not arise because of paragraph 5—requires that the Security Holder must not create a security interest in favour of the person unless the person has agreed in writing to take or acquire the security interest in the escrow securities subject to the terms of the escrow agreement; and
- (f) where the Security Holder is permitted to transfer their interests in the escrow securities to another person—requires that the Security Holder must not transfer the escrow securities to another person if:
  - (i) the transfer would result in a change in the beneficial ownership of the escrow securities; or
  - (ii) the transfer would result in an extension in the period of the escrow agreement; or
  - (iii) the transferee does not agree to be subject to the same restrictions on disposal of the escrow securities under the escrow agreement.

#### Interpretation

6. In this instrument:

*Security Holder* means any of the following persons (or their respective nominees) who will hold shares in the Company:

- (a) Breathe International Ltd (a company registered in England and Wales, with company number 11539325);
- (b) Global CR Holdings Limited (a company registered in New Zealand, with company number 3314409) as trustee for Buffalo Trust;
- (c) Ian Edward Owles;
- (d) Kirkman Trading Ltd (a company registered in Cyprus, with company number 517264);
- (e) BPMGMT Ltd (a company registered in Gibraltar, with company number 122648);
- (f) Zonetech Wellness Limited (a company registered in Gibraltar, with company number 120399);
- (g) Andrew Alexander Ogilvie;
- (h) Gavin James Ogilvie;
- (i) David Buist Ogilvie;
- (j) Paula Ogilvie;
- (k) John Scott Sheffield;

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- (l) Dylan Quirk;
- (m) Ernesto Ferraro;
- (n) Tonkwi Park;
- (o) Leo Cunningham;
- (p) Adam Taylor-Campbell;
- (q) Jason Hine;
- (r) Rainlover Group Pty Ltd ACN 112 034 803;
- (s) Jamie Barker;
- (t) Stephanie Cowan;
- (u) Alexander Wilson;
- (v) Ylia L'etang;
- (w) Sinclair Steibel;
- (x) Samantha Bell;
- (y) Janne Rochat;
- (z) O'Grady Dynamics Pty Ltd ACN 601 709 004;
- (aa) Denis Gerard Whelan;
- (bb) Brett Wall;
- (cc) Atef Mounir Erian Mousa;
- (dd) Robin Peel-Walker;
- (ee) Wendy Susan Sheffield; and
- (ff) Paul Joseph O'Grady.

Dated this 28<sup>th</sup> day of March 2023



Signed by Adam Prior  
as a delegate of the Australian Securities and Investments Commission

23-0241

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 23-0241.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to IntelliIR Limited ACN 600 548 516 (**Target**) as if:
  - (a) item 13 of the table in subsection 635(1) of the Act were modified or varied by omitting the words “14 days” and substituting the words “21 days”.

**Where this instrument applies**

5. This instrument applies in relation to the market takeover bid by Humanforce Holdings Pty Ltd ACN 618 020 401 (**Bidder**) for all of the fully paid ordinary shares in the Target that the Bidder does not have a relevant interest in (**Bid**) in respect of which a bidder’s statement was lodged by the Bidder with ASIC on 17 March 2023 where by 7:00 pm on the date of this declaration, the Target 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) recommending that shareholders in the Target take no action in relation to the Bid until they have considered the target’s statement; and
  - (c) stating that the target’s statement will be provided to ASIC and ASX and will be sent to the Bidder, on 31 March 2023 and to the Target’s shareholders by no later than Friday 7 April 2023.

Dated this 31<sup>st</sup> day of March 2023



Signed by Baldev Dillon  
as a delegate for the Australian Securities and Investments Commission



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 thirty-first day of March 2023

**Name of Company**

**ARBN**

HOBBY CITY 2018 LIMITED

637 540 302

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 thirty-first day of March 2023

**Name of Company**

**ARBN**

BERRIMA DISTRICT HISTORICAL & FAMILY HISTORY SOCIETY INCORPORATED	627 843 823
PTILOTUS PRESS INCORPORATED	629 421 487
SAVE RESOURCES INC	169 187 339

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 thirty-first day of March 2023

<b>Name of Scheme</b>	<b>ARSN</b>
ABRDN FULLY HEDGED INTERNATIONAL EQUITIES FUND	095 871 695
AFS AUSTRALIAN SHARE FUND 8	610 163 669
AMP CAPITAL AUSTRALIAN EQUITY INCOME FUND	165 631 818
AMP CAPITAL AUSTRALIAN SMALL COMPANIES FUND	089 596 645
EFM AUSTRALIAN SHARE FUND 10	605 812 548
EFM AUSTRALIAN SHARE FUND 3	108 276 366
EFM AUSTRALIAN SHARE FUND 4	108 276 419
EFM AUSTRALIAN SHARE FUND 6	111 212 554
EFM AUSTRALIAN SHARE FUND 7	111 212 643
EFM AUSTRALIAN SHARE FUND 9	610 163 758
EFM FIXED INTEREST FUND 10	605 812 360
EFM FIXED INTEREST FUND 6	605 856 460
EFM FIXED INTEREST FUND 7	605 856 657
EFM INFRASTRUCTURE FUND 2	605 811 738
EFM INTERNATIONAL SHARE FUND 10	605 813 090
EFM INTERNATIONAL SHARE FUND 3	108 279 045
EFM INTERNATIONAL SHARE FUND 5	108 276 053

EFM INTERNATIONAL SHARE FUND 8	605 812 413
EFM INTERNATIONAL SHARE FUND 9	605 856 871
EFM LISTED PROPERTY FUND 1	108 278 986
EFM LISTED PROPERTY FUND 2	605 811 961
FD AUSTRALIAN SHARE FUND 1	108 276 955
FD AUSTRALIAN SHARE FUND 3	108 277 130
FD INTERNATIONAL SHARE FUND 3	108 275 798
FUTURE DIRECTIONS ASIA EX-JAPAN FUND	130 183 041
GLOBAL GROWTH OPPORTUNITIES FUND	087 393 735
TEMPLETON GLOBAL EQUITY FUND	104 669 427
TEMPLETON GLOBAL TRUST FUND	097 696 752
VANGUARD GLOBAL MULTI-FACTOR FUND	630 597 929

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.

**AFTERPAY LIMITED** ACN 618 280 649 will change to a proprietary company limited by shares. The new name will be AFTERPAY PTY LTD ACN 618 280 649.

**MSL SOLUTIONS LIMITED** ACN 120 815 778 will change to a proprietary company limited by shares. The new name will be MSL SOLUTIONS PTY LTD ACN 120 815 778.

**SHOCKWAVE GROUP HOLDINGS PTY LTD** ACN 642 623 167 will change to a public company limited by shares. The new name will be SHOCKWAVE GROUP HOLDINGS LIMITED ACN 642 623 167.

**GPT PROPERTY NOMINEES LTD** ACN 002 301 260 will change to a proprietary company limited by shares. The new name will be GPT PROPERTY NOMINEES PTY LIMITED ACN 002 301 260.

**SEER MEDICAL PTY LTD** ACN 615 849 986 will change to a public company limited by shares. The new name will be SEER MEDICAL HOLDINGS LIMITED ACN 615 849 986.

**SLJW SERVICES LIMITED** ACN 005 672 971 will change to a proprietary company limited by shares. The new name will be SLJW SERVICES PTY LTD ACN 005 672 971.