



**ASIC**  
Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette  
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# ASIC Gazette

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### RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the *Corporations Act 2001* and the other legislation administered by ASIC may have rights of review. ASIC has published Regulatory Guide 57 *Notification of rights of review (RG57)* and Information Sheet *ASIC decisions – your rights (INFO 9)* to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at [www.asic.gov.au](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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22-0141

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

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

TO: Electricity Supply Industry Superannuation (QLD) Ltd  
ACN 069 634 439 ("the Licensee")  
PO Box 1066  
Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 336567 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 April 2022

Signed .....

Gerard Mithen  
A delegate of the Australian Securities and Investments Commission

22-0296

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

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

TO: Arlington Whyte F.P. Pty Ltd  
ACN 130 519 416 ("the Licensee")  
183 Glen Osmond Road  
FREWVILLE SA 5063

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 358156 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 April 2022

Signed  .....

Gerard Mithen  
A delegate of the Australian Securities and Investments Commission

22-0297

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

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

TO: SUPABROOK PTY LTD  
ACN 095 807 551 ("the Licensee")  
GROUND FLOOR  
65 NEIL STREET  
TOOWOOMBA QLD 4350

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 241189 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 April 2022

Signed  .....

Gerard Mithen  
A delegate of the Australian Securities and Investments Commission

22-0310

**Australian Securities and Investments Commission  
Corporations Act 2001 — Subsection 601QA(1) — Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 22-0310.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to AMP Capital Funds Management Limited (ACN 159 557 721) (*AMP CFM*) as responsible entity of each registered managed investment scheme listed in the Schedule to this instrument (each a *scheme*) as if section 601FL of the Act were modified or varied as follows:
  - (a) in subsection (1) omitting all the text after the word “it”, substitute:

“must either:

    - (a) call a members’ meeting to explain its reason for wanting to retire and to enable the members to vote on a resolution (which must be an extraordinary resolution if the scheme is not listed) to choose a company to be the new responsible entity; or
    - (b) propose a related body corporate of the responsible entity to be the new responsible entity in accordance with subsection (1A).”;
  - (b) after subsection (1), inserting:

“(1A) The requirements for proposing a related body corporate (the *proposed responsible entity*) to be the new responsible entity are as follows:

    - (a) the responsible entity must give members of the scheme notice of a proposal to choose the proposed responsible entity, to be the scheme’s new responsible entity. The notice of proposal to

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members may be given using one or more technologies to communicate to those entitled to receive notice to members:

- (i) the contents of the notice; or
  - (ii) details of an online location where the items covered by subparagraph (i) can be viewed or from where they can be downloaded.
- (b) The notice to members must:
- (i) set out the following information:
    - (A) the responsible entity's reasons for wanting to retire;
    - (B) such information as can reasonably be expected to be material to a member in forming a view as to the choice of the proposed responsible entity;
    - (C) information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur;
    - (D) how members can access on the responsible entity's website current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur;
  - (ii) state prominently that if:
    - (A) members who together hold at least 5% of the total value of the interests held by members; or
    - (B) 100 members,

who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a), ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity within 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote (including a voting process using one or more technologies (*electronic postal vote*) or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and

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- (iii) be accompanied by:
  - (A) a form which can be ticked to ask for a vote; or
  - (B) details of a process using one or more technologies to ask for a vote; and
- (iv) state prominently:
  - (A) a reply-paid address of the responsible entity to which the form pursuant to paragraph (1A)(b)(iii)(A) may be sent; or
  - (B) details of how to ask for a vote pursuant to paragraph (1A)(b)(iii)(B).
- (c) The responsible entity must prominently disclose on its website current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur.
- (d) If sufficient members ask for a vote in accordance with the notice, the responsible entity must arrange for a postal vote (including an electronic postal vote) or, if the responsible entity chooses, convene a meeting in accordance with Part 2G.4 to vote on the choice of the proposed responsible entity as soon as possible.
- (e) If there is a postal vote:
  - (i) each member must be given or sent:
    - (A) if a voting form was accompanied in the notice to members pursuant to paragraph (1A)(b)(iii)(A), a voting paper stating a reply-paid address of the responsible entity to which the voting paper may be sent; or
    - (B) if a process using one or more technologies was accompanied in the notice to members pursuant to paragraph (1A)(b)(iii)(B), details of how to access and cast an electronic postal vote; and
  - (ii) where a voting paper is sent pursuant to paragraph (1A)(e)(i)(A), the responsible entity must notify the

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members in, or in a document accompanying, the voting paper that:

- (A) the proposed responsible entity will be chosen as the new responsible entity if at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the choice; and
  - (B) only votes received by the responsible entity within 28 days after the issue of the voting paper will be counted; and
- (iii) where an electronic postal vote is used pursuant to paragraph (1A)(c)(i)(B), the responsible entity must notify the members, through the use of those technologies, before they are able to submit their vote:
- (A) how they can submit their vote using the relevant technologies;
  - (B) that the proposed responsible entity will be chosen as the new responsible entity if at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the choice;
  - (C) only votes received by the responsible entity within 28 days after the notification of the electronic postal vote will be counted; and
  - (D) the technologies used for the purposes of a meeting under paragraph (1)(a) will remain available for 28 days; and
- (iv) where both a voting paper is sent pursuant to paragraph (1A)(e)(i)(A) and where an electronic postal vote is used pursuant to paragraph (1A)(e)(i)(B), the responsible entity must notify the members that:
- (A) they are only entitled to vote using one method; and



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- (B) if multiple votes are received from a member, only the vote that is first received will be counted.
  - (f) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed.;
- (c) after subsection (2) insert:
- “(2A) If a postal vote (including an electronic postal vote) is arranged under paragraph (1A)(d) and at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the proposed responsible entity, that entity is taken for the purposes of subsection (2) to have been chosen by a resolution of members on the last day on which postal votes may be received in order to be counted.
- (2B) If:
- (a) a related body corporate is proposed to be the new responsible entity in accordance with subsection (1A); and
  - (b) sufficient members do not ask for a vote to choose the entity in accordance with the notice referred to in paragraph (1A)(b); and
  - (c) the entity has consented in writing to becoming the scheme’s responsible entity,
- then:
- (d) as soon as practicable and in any event within 2 business days after the end of the period in which a member may ask for such a vote, the current responsible entity must lodge a notice with ASIC asking it to alter the record of the scheme’s registration to name the proposed responsible entity as the scheme’s responsible entity; and
  - (e) the notice must be accompanied by a certificate from the current responsible entity that it reasonably considers that the appointment of the proposed responsible entity would be in the best interests of members with a summary of the responsible entity’s reasons as to why this is the case; and
  - (f) unless ASIC reasonably believes that the appointment of the proposed responsible entity would not be in the best interests of

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members, ASIC must comply with the notice as soon as practicable after the notice and summary are lodged.”

**Where this declaration applies**

5. This declaration applies where ipac Asset Management Limited ACN 003 257 225 has agreed in writing to become the new responsible entity of each scheme.

**Where this declaration ceases to apply**

6. This declaration ceases to apply 3 months after the date on which it was signed.

Dated this 21st day of April 2022



.....  
Signed by Andrew Kyu Sun Choi  
as a delegate of the Australian Securities and Investments Commission

22-0310

**Schedule**

1. AMP Capital Equity Fund ARSN 089 596 850
2. AMP Capital Australian Equity Income Fund ARSN 165 631 818

22-0321

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 741(1) – Exemption and Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 22-0321.

**Commencement**

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

**Exemption**

4. VHM Limited ACN 601 004 102 (*VHM*) does not have to comply with Parts 6D.2 and 6D.3 of the Act.

**Declaration**

5. Chapter 6D of the Act applies to each holder of shares in VP Minerals Limited ACN 655 644 581 (*VP Minerals*) as if section 707 were modified or varied by omitting subsections 707(3), (4), (5) and (6).

**Where this instrument applies**

6. The exemption in paragraph 4 applies to invitations by VHM to vote at a general meeting on a capital reduction of VHM, and an in-specie distribution of shares in VP Minerals to holders of shares in VHM (*Spin-Out Proposal*), pursuant to a notice of meeting that:
  - (a) is in substantially the same form as the draft notice of meeting given to ASIC on 12 April 2022; and
  - (b) includes a statement:
    - (i) describing the need for, and the effect of, the relief contained in this instrument; and
    - (ii) that the notice of meeting is in substantially the same form as the draft notice of meeting given to ASIC on 12 April 2022.

22-0321

7. The declaration in paragraph 5 applies where:
- (a) a holder of shares in VP Minerals makes an offer of shares in VP Minerals (*VP Minerals Shares*) for sale;
  - (b) the VP Minerals Shares were transferred to a holder of shares in VHM, or sold by VHM (or its related body corporate) on behalf of Ineligible Overseas Shareholders, pursuant to the Spin-Out Proposal referred to in paragraph 6, within the previous 12 months; and
  - (c) the offer is not made within 12 months of a sale or transfer of the VP Minerals Shares by a person, other than VHM, who:
    - (i) controls VP Minerals;
    - (ii) would have been required by subsection 707(2) of the Act to give disclosure to investors under Part 6D.2 of the Act but for section 708 of the Act; and
    - (iii) did not give disclosure to investors under Part 6D.2 of the Act because of section 708 of the Act.

**Interpretation**

8. In this instrument:

*Ineligible Overseas Shareholders* means VHM shareholders with registered addresses outside of Australia and New Zealand.

Dated this 21<sup>st</sup> day of April 2022



Signed by Sheranga Perera  
as a delegate of the Australian Securities and Investments Commission

22-0325

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 259C(2) - Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 259C(2) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 22-0325.

**Commencement**

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

**Exemption**

4. Macquarie Group Limited ACN 122 169 279 (*Macquarie*) does not have to comply with s259C(1) of the Act in relation to the Transfer of Units.

**Where this instrument applies**

5. The exemption in paragraph 4 applies to the Transfer of Units only if Macquarie has given to ASIC a deed for the benefit of, and enforceable by, ASIC in substantively the same form as the draft deed provided on 20 April 2022 under which Macquarie undertakes each of the matters set out in paragraph 7 of ASIC Instrument 19-1243.

**Interpretation**

6. In this instrument:

*Transfer of Units* means the transfer of units of Macquarie shares on or around 26 April 2022 in relation to:

- a. the replacement of AMP Capital Investors Limited ACN 001 777 591 with Macquarie Specialist Investment Management Limited ACN 086 438 995 as trustee of AFS Australian Equity Enhanced Index Fund 1; and
- b. the replacement of AMP Capital Funds Management Limited ACN 159 557 721 with Macquarie Investment Management Australia Limited ACN 092 552 611 as trustee of Enhanced Index Share Fund.

Dated this 22<sup>nd</sup> day of April 2022



Signed by Mitchell Coles  
as a delegate of the Australian Securities and Investments Commission

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 twenty-second day of April 2022

**Name of Scheme**

**ARSN**

AMP CAPITAL MONTHLY INCOME FUND NO.1	093 325 574
CROMWELL IPSWICH CITY HEART TRUST	154 498 923
EINVEST INCOME MAXIMISER FUND (MANAGED FUND)	631 537 703
MAN DIVERSIFIED ALTERNATIVES	150 605 397

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 twenty-second day of April 2022

<b>Name of Scheme</b>	<b>ARSN</b>
C & F MORTGAGE FUND	091 732 311
EINVEST CASH BOOSTER FUND (MANAGED FUND)	631 537 883
PENGANA OWL ROCK CREDIT INCOME TRUST	647 818 175
TORICA INCOME OPPORTUNITIES FUND	653 287 417



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 twenty-second day of April 2022

**Name of Company**

**ARBN**

BBC STUDIOS DISTRIBUTION LIMITED

002 729 973

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this twenty-second day of April 2022

**Name of Company**

**ARBN**

GENERAL DYNAMICS LAND SYSTEMS - CANADA  
CORPORATION

103 880 922

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.

**BIRDDOG TECHNOLOGY AUSTRALIA LIMITED**  
ACN 652 282 203 will change to a proprietary company limited by shares. The new name will be BIRDDOG TECHNOLOGY AUSTRALIA PTY LTD ACN 652 282 203.

**GELTEQ PTY LTD** ACN 619 501 254 will change to a public company limited by shares. The new name will be GELTEQ LIMITED ACN 619 501 254.

**SECOND FORTUNE GOLD PROJECT LIMITED**  
ACN 138 222 705 will change to a proprietary company limited by shares. The new name will be SECOND FORTUNE GOLD PROJECT PTY LTD ACN 138 222 705.