



**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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22-0581

## AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

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

## DISQUALIFICATION ORDER

To: Khanh Huynh

Approved SMSF auditor registration number SAN 100076426

Under s130F(2) of the *Superannuation Industry (Supervision) Act 1993* the Australian Securities and Investments Commission disqualifies Khanh Huynh from being an approved SMSF auditor with effect from 29 June 2022.

Dated this 22 June 2022



Scott Rea  
Delegate of the Australian Securities and Investments Commission

22-0646

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

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

TO: EAGLE INSURANCE BROKERS PTY LTD  
ABN 001 366 847 ("the Licensee")  
U 9 35 PARINGA RD  
MURARRIE QLD 4172

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 236499 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 18 July 2022

Signed *Gerard Mithen*.....

Gerard Mithen  
A delegate of the Australian Securities and Investments Commission

22-0649

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

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

TO: Roshantha Delpachithra As Trustee for Gc Accountants Unit Trust &  
Gishanthi Wickramasinghe as Trustee for Rainbow Family Trust  
ABN 68 761 269 553 ("the Licensee")  
Rainbow Accounting  
U 3, 1155 Wynnum Road  
CANNON HILL QLD 4170

Pursuant to paragraph 915B(2)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 485154 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 18 July 2022

Signed *N Vonarx* .....

Nicholas Vonarx  
a delegate of the Australian Securities and Investments Commission

22-0652

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 926A(2)(a) – Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under s926A(2)(a) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 22-0652

**Commencement**

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

**Exemption**

4. ASIC exempts VCP Advisors Limited, a private limited company incorporated in England and Wales (registered company number 068 17 064) and registered with the Financial Conduct Authority, reference number 523831, (the *body*), from the requirement to hold an Australian financial services (*AFS*) in the case referred to in Schedule A.

**Cessation**

5. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) the date specified in subsection 1(3) of Schedule 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2106/396*; or
  - (b) the body failing to comply with any written notice given by ASIC directing the body to give to ASIC, within the time specified in the notice, a written statement containing specified information about the financial service business operated by the body in this jurisdiction; or
  - (c) the body being notified in writing by ASIC that it is excluded from relying on this instrument.

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**Schedule A**

1. The exemption in paragraph 4 applies where all of the following apply:
  - (a) the body has a current Part 4A Permission;
  - (aa) the body is either a body corporate incorporated in the United Kingdom or a partnership formed in the United Kingdom;
  - (b) the body:
    - i. is registered under Division 2 of Part 5B.2 of the Act; or
    - ii. has an Agent at the time the body first purports to rely on this instrument and, from that time, has not failed to have an Agent for any consecutive period of 10 business days;
  - (c) the body's primary business is the provision of financial services;
  - (d) neither the body nor its Agent has been notified by ASIC that the body is excluded from relying on this instrument;
  - (e) if the body becomes aware or should reasonably have become aware of matters that give it reason to believe that it has failed, other than in an immaterial respect, to comply with a requirement set out in Schedule B:
    - i. 15 business days have not passed since the body became so aware or should reasonably have become so aware without the body providing full particulars of the failure to ASIC (to the extent that the body knows those particulars or would have known them if it had undertaken reasonable enquiries); and
    - ii. 30 business days have not passed from ASIC receiving those particulars from the body without ASIC notifying the body that it may continue to rely on this instrument; and
  - (f) the body has not notified ASIC that it will not rely on this instrument.
2. Where the body provides any of the following financial services (the *financial services*) in this jurisdiction to wholesale clients:
  - (a) providing financial product advice; or
  - (b) dealing in financial product;in respect of any of the following financial products:
  - (c) securities;
  - (d) debentures, stocks or bonds issued by a government;

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- (e) managed investment products; or
  - (f) interests in a managed investment scheme that is not required to be registered under Chapter 5C of the Act.
3. Where the body has provided ASIC with all of the following
- (a) evidence that paragraph 1(a) of Schedule A is satisfied that ASIC has stated in writing is adequate;
  - (b) a notice that it will provide financial services in this jurisdiction in reliance on this instrument;
  - (c) a deed of the body for the benefit of and enforceable by ASIC and the other persons referred to in subsection 659B(1) of the Act that applies notwithstanding that the body may have ceased to rely, or never have relied, on this instrument, which deed provides that:
    - i. the deed is irrevocable except with the prior written consent of ASIC; and
    - ii. the body submits to the non-exclusive jurisdiction of the Australian courts in legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise; and
    - iii. the body covenants to comply with any order of an Australian court in respect of any matter relating to the provision of the financial services; and
    - iv. if the body is not registered under Division 2 of Part 5B.2 of the Act, service of process on the body in relation to legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise can be effected by service on the Agent; and
    - v. the body covenants that, on written request of either the FCA or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the FCA to disclose to ASIC and ASIC to disclose to the FCA any information or document that FCA or ASIC has that relates to the body; and
  - (d) written consents to the disclosure by the FCA to ASIC and ASIC to the FCA of any information or document that the FCA or ASIC has that relates to the body. The consents must be in such form (if any) as ASIC specifies in writing.

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**Schedule B**

The body must:

1. provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the United Kingdom regulatory requirements if the financial service were provided in the United Kingdom in like circumstances; and
2. notify ASIC, as soon as practicable and in any event within 15 business days after the body became aware or should reasonably have become aware, and in such form if any as ASIC may from time to time specify in writing, of the details of:
  - (a) each significant change to, including the termination of, the registration as a registered investment adviser applying to the body relevant to the financial services the body provides or intends to provide in this jurisdiction; and
  - (b) each significant particular exemption or other relief which the body obtains from the United Kingdom regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
  - (c) each action or investigation of the following kinds taken by the FCA, PRA or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
    - i. significant enforcement action;
    - ii. significant disciplinary action;
    - iii. significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the Body is prohibited by law from giving such notification but only to the extent of the prohibition); and
3. provide written disclosure to all persons to whom the financial services are provided in this jurisdiction (before the financial services are provided) containing prominent statements to the following effect:
  - (a) the body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
  - (b) as applicable:
    - i. for a dual-regulated body - the body is authorised by the PRA and regulated by the FCA and PRA under United Kingdom laws, which differ from Australian laws;
    - ii. otherwise – the body is authorised and regulated by the FCA under the United Kingdom’s laws, which differ from Australian laws; and

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4. if ASIC gives the body a written notice directing the body to lodge with ASIC, within the time specified in the notice, a written statement containing specified information about any financial service provided by the body in this jurisdiction—comply with the notice.

**Interpretation**

In this instrument:

*Act* means the *Corporations Act 2001*;

*address* in relation to a company, means the address of the registered office of the company;

*agent* means a natural person resident in this jurisdiction or a company, whose name and address were last notified to ASIC by the body for the purposes of this instrument, and who is authorised to accept on the body's behalf, service of process from ASIC and, in relation to proceedings relating to a financial services law, from any person referred to in s659B(1) of the Act;

*appropriate regulator means:*

(a) for a dual -regulated body – both the PRA and the FCA;

(b) otherwise – the FCA

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

*derivative* has the meaning given by section 761D of the Act;

*dual-regulated body* means a body whose regulated activities in the United Kingdom include a PRA-regulated activity within section 22A of the FSM Act.

*eligible deposit product* means any deposit taking facility that is not a deposit product as defined in section 761A of the Act;

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

*financial services law* has the meaning given by section 761A of the Act;

*FCA* means the Financial Conduct Authority of the United Kingdom and, for the avoidance of doubt, includes the Financial Services Authority of the United Kingdom as it was previously known before 1 April 2013;

*FSM Act* means the *Financial Services and Markets Act 2000* of the United Kingdom;

*foreign exchange contract* has the meaning given by section 761A of the Act;

*making a market* has the meaning given by section 766D of the Act;

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*notice* and *notified* mean, respectively, written notice and notified in writing;

*overseas regulatory authority* means a foreign regulatory authority (other than the FCA or PRA) which regulates financial services and which is established by or for the purposes of a foreign government or legislative body;

*Part 4A Permission* means a permission given under Part 4A of FSM Act or having effect as if so given under that Part;

*PRA* means the Prudential Regulation Authority of the United Kingdom.

*securities* has the meaning given by section 761A of the Act;

*UK regulatory requirements* means the rules that apply in relation to the financial services including any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the FCA or PRA; and

*wholesale client* has the meaning given in section 761G of the Act.

Dated this 22nd day of July 2022.



Signed by Jacob Sims  
as a delegate of the Australian Securities and Investments Commission

22-0653

**Australian Securities and Investments Commission  
Corporations Act 2001 — Subsection 601CK(7) — Revocation and Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this declaration under subsection 601CK(7) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 22-0653.

**Commencement**

3. This instrument commences on gazettal.

**Revocation**

4. ASIC Instrument 19-1264 is revoked.

**Declaration**

5. Section 601CK does not apply to Commodity Exchange, Inc. ARBN 622 016 193 (*COMEX*), a foreign company incorporated in the State of New York in the United States of America in relation to a financial year ending on or after 31 December 2022 (*the relevant financial year*).

**Where this instrument applies**

6. This instrument applies where:
  - (a) COMEX is registered under Division 2 of Part 5B.2 of the Act; and
  - (b) COMEX is not required by the law of the place of its incorporation or formation to prepare:
    - (i) a balance sheet at the end of the relevant financial year;
    - (ii) a profit and loss statement for the relevant financial year; or
    - (iii) a cash flow statement for the relevant financial year;
  - (c) COMEX has not engaged in any activities in Australia other than those contemplated by the *Australian Market Licence (Commodity Exchange, Inc.) 2018* granted to COMEX by the Minister on 27 September 2018 (as varied from time to time) during the relevant financial year.

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- (d) COMEX has not been a disclosing entity, a borrower in relation to a debenture or a guarantor of such a borrower in Australia at any time during the period commencing at the start of the relevant financial year and ending on the day on which COMEX lodges a return under s601CK(9) of the Act following the end of the relevant financial year;
- (e) COMEX's ultimate holding company is CME Group Inc., a company incorporated in the State of Delaware in the United States of America;
- (f) CME Group Inc. has lodged with the United States Securities and Exchange Commission an annual report (*Form 10-K*) which includes in relation to CME Group Inc. and its subsidiaries (including COMEX), the following:
  - (i) Consolidated Balance Sheets;
  - (ii) Consolidated Statements of Income;
  - (iii) Consolidated Statements of Comprehensive Income;
  - (iv) Consolidated Statements of Equity; and
  - (v) Consolidated Statements of Cash Flows;(collectively, *the consolidated financial statements*) for the relevant financial year within 4 months after the end of the relevant financial year.
- (g) COMEX has lodged a return in the form prescribed for the purposes of s601CK(9) of the Act with ASIC within 4 months after the end of the relevant financial year with a copy of the most recent Form 10-K and most recent consolidated financial statements for CME Group Inc. attached.

Dated this 19<sup>th</sup> day of July 2022



Signed by Allan Erceg  
as a delegate of the Australian Securities and Investments Commission

22-0656

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 741(1)(b) – Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 22-0656.

**Commencement**

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

**Declaration**

4. Chapter 6D of the Act applies to Australia and New Zealand Banking Group Limited ACN 005 357 522 (*ANZ*) as if subsection 9A(4) (as notionally modified by ASIC Corporations (Non-Traditional Rights Issues) Instrument 2016/84) of the Act were modified or varied as follows:

- (a) in paragraph 9A(4)(c), omit “and”;
- (b) in paragraph 9A(4)(f), omit “.”, substitute “; and”, and
- (c) after paragraph 9A(4)(f), insert:
  - “(g) persons who either:
    - (i) do not receive offers before other persons to whom offers were made; or
    - (ii) are not given a period of time to accept the offer which is less than any period of time given to other persons,because they were not offered securities as an exempt investor, are offered the opportunity to pay the consideration for the securities in either Australian dollars or New Zealand dollars.”

**Where this instrument applies**

5. This declaration applies to an offer by ANZ of fully paid ordinary shares in ANZ made on or around 18 July 2022.

Dated this 18<sup>th</sup> day of July 2022



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

22-0657

**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 (Act)*.

**Title**

2. This instrument is ASIC Instrument 22-0657.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to Elanor Funds Management Limited ACN 125 903 031 (*EFML*) in its capacity as responsible entity of Elanor Retail Property Fund I ARSN 615 291 220 (*ERFP I*) and Elanor Retail Property Fund II ARSN 615 291 284 (*ERFP II*) (the trusts together *Elanor Retail Property Fund* or *ERF*) as if section 609 of the Act were modified or varied by inserting after subsection (4):

“(4A) A person does not have a relevant interest in interests of a managed investment scheme if the relevant interest would arise merely because the responsible entity of the scheme has entered into an agreement to buy-back interests of the scheme in accordance with Part 5C.6B as declared by ASIC Instrument 22-0657 or the responsible entity has entered into an agreement to buy-back interests in another managed investment scheme where the interests in each managed investment scheme are stapled securities.

(4B) For the purposes of subsection (4A), *stapled security* means two or more financial products including at least one interest in a registered scheme where:

- (a) under the terms on 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.”

5. Chapter 6 of the Act applies to EFML and to registered securityholders of the ERF (*Securityholders*) as if the table in section 611 of the Act as modified or varied by *ASIC Corporations (ASX-listed Schemes On-market Buy-backs) Instrument 2016/1159 (ASIC Instrument 2016/1159)* were further modified or varied by inserting after item 19A:

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“(19B) An acquisition that results from the responsible entity of a registered scheme buying interests in the scheme in accordance with Part 5C.6B as declared by ASIC Instrument 22-0657.”

**Where this instrument applies**

6. EFML in its capacity as responsible entity for ERF makes invitations to Securityholders to offer to sell interests in ERF to EFML (*Buy-Back*) which:
  - (a) are substantially in the terms contemplated by the draft notice of meeting provided to ASIC on 11 July 2022;
  - (b) are approved, before they are extended, by a resolution passed at a general meeting of EFML on or around 19 August 2022;
    - i. for which the Explanatory Statement contains independent advice on the value of the ERF securities and the advantages and disadvantages of the proposal under which the interests in ERF will be bought back; and
    - ii. at which EFML and its associates did not vote any interests in ERF which EFML or its associates hold other than as a member;
  - (c) EFML makes an invitation to Eligible ERF Securityholders to participate in the Buy-Back at the Buy-Back Price;
  - (d) EFML has given the Explanatory Statement to all members of ERF who are eligible to participate under the Buy-Back that:
    - i. state all information known to EFML that is material to the decision of a member of ERF whether or not participate in the Buy-Back;
    - ii. specify the period to elect to participate in the Buy-Back, being at least 21 days;
    - iii. specify the scheme assets that will be used to satisfy the liability to pay for interests to be bought back; and
    - iv. specify that under the terms of the Buy-Back, EFML is offering to purchase from each ERF Securityholder all of their ERF Securities;
  - (e) after the Explanatory Statement is given to members of ERF, the members have a reasonable opportunity to elect to participate in the Buy-Back at the Buy-Back Price; and
  - (f) EFML carries out the Buy-Back in accordance with the terms as described in the Explanatory Statement under which all members of the Scheme are to be treated equally except for Excluded Foreign Holders and any offer

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from an Excluded Foreign Holder for the sale of ERF Securities received by EFML need not be accepted by EFML.

### Interpretation

7. In this instrument:

*Buy-Back Price* is the price at which the ERF Securities will be bought back under the Buy-Back which will be \$0.79 per security.

*ERF Security* means an interest in each of the Schemes where under the terms on which each is to be traded, they must be transferred together.

*ERF Securityholder* means the holder of an ERF Security.

*Eligible ERF Securityholder* means ERF Securityholders who are eligible to participate in the Buy-Back as set out in the Explanatory Statement.

*Excluded Foreign Holders* means ERF Securityholders who EFML determines to exclude on the basis that:

- (a) EFML would be prohibited from making a payment to pursuant to an act, rule or regulation that prohibits EFML from making payments to a person who resides in a jurisdiction outside of Australia or New Zealand;
- (b) the holder resides in a jurisdiction where it would be illegal under the laws of that jurisdiction to make an invitation to the holder or for the holder to participate in the Buy-Back; or
- (c) the holder resides in a jurisdiction outside Australia or New Zealand and it would be unreasonable to make an invitation to the holder having regard to each of the following:
  - (i) the number of holders in that jurisdiction;
  - (ii) the number and the value of ERF Securities held by holders in that jurisdiction; and
  - (iii) the cost of complying with legal requirements and the requirements of any relevant regulatory authority applicable to making the invitation in that jurisdiction.

*Explanatory Statement* means the Notice of Meeting and Explanatory Statement dated 20 July 2022 sent to ERF Securityholders in relation to the Buy-Back, which is substantially in the same form as provided to ASIC on 11 July 2022.

22-0657

Dated this 18<sup>th</sup> day of July 2022

A handwritten signature in black ink, appearing to read 'Genevieve Lai', written in a cursive style.

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



22-0658

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

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

TO: ENVISAGER SECURITIES LIMITED  
ACN 167 567 482 ("the Licensee")  
77 MAIN STREET  
DIAMOND CREEK VIC 3089

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby suspends Australian Financial Services Licence number 463919 held by the Licensee until 31 August 2022, with effect from the date on which this notice is given to the Licensee.

Dated 21 July 2022

Signed *George Podaras*  
.....

George Podaras  
A delegate of the Australian Securities and Investments Commission

22-0661

**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 paragraph 655A(1)(b) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 22-0661.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to AIMS Investment Group Holdings Pty Ltd ACN 602 817 809 (the *Bidder*) as if Part 6.5 were modified or varied as follows:

- (a) in item 6 of the table in subsection 633(1) (as notionally modified by ASIC Class Order [CO 13/528]), omit “item 2.”, insert:

“item 2, unless the offers are made under a replacement bidder’s statement lodged with ASIC in accordance with section 633A and the only difference in terms is that:

- (i) under the terms set out in the replacement bidder’s statement:

- (A) the offer is subject to a condition in clause 10.3 that “prior to the end of the offer period there is not in effect any temporary or final order, decision or decree issued by any court of competent jurisdiction or Public Authority; no action or investigation is announced, commenced or threatened by any Public Authority; and no application is made to any Public Authority, in consequence of or in connection with the Offer (other than an application to, or decision, or order of, or action by, or investigation by, ASIC or the Takeovers Panel in exercise of the power of discretion conferred by the Corporations Act), the effect of which may restrain, prohibit, threaten to restrain or prohibit, or otherwise adversely impact upon, the making of the Offer or the acquisition of any Units under the Offer”; and

- (ii) under the terms set out in the original bidder’s statement:

- (A) the offer is subject to a condition in clause 10.3 that “prior to the end of the offer period there is not in effect any temporary or final order, decision or decree issued by any court of competent jurisdiction or Public Authority; no action or investigation is announced, commenced or threatened by any Public Authority; no application is made to any Public Authority (other than by Bidder or any of its Associates), the effect of which may restrain, prohibit, threaten to restrain or prohibit, or otherwise adversely impact upon, the making of the Offer or the acquisition of any Units under the Offer”.; and

- (b) in paragraph 633A(3)(d) (as notionally inserted by ASIC Class Order [CO 13/528]), omit “subsection 633(1)”, insert:

“subsection 633(1), unless the offers are made under a replacement bidder’s statement lodged with ASIC in accordance with section 633A and the only difference in terms is that:

- (i) under the terms set out in the replacement bidder’s statement:

- (A) the offer is subject to a condition in clause 10.3 that “prior to the end of the offer period there is not in effect any temporary or final order, decision or decree issued by any court of competent jurisdiction or Public Authority; no action or investigation is announced, commenced or threatened by any Public Authority; and no application is made to any Public Authority, in consequence of or in connection with the Offer (other than an application to, or decision, or order of, or action by, or investigation by, ASIC or the Takeovers Panel in exercise of the power of discretion conferred by the Corporation Act), the effect of which may restrain, prohibit, threaten to restrain or prohibit, or otherwise adversely impact upon, the making of the Offer or the acquisition of any Units under the Offer”.; and

- (ii) under the terms set out in the original bidder’s statement:

- (A) the offer is subject to a condition in clause 10.3 that “prior to the end of the offer period there is not in effect any temporary or final order, decision or decree issued by any court of competent jurisdiction or Public Authority; no action or investigation is announced, commenced or threatened by any Public Authority; no application is made to any Public Authority (other than by Bidder or any of its Associates), the effect of which may restrain, prohibit, threaten to restrain or prohibit, or otherwise adversely impact upon, the making of the Offer or the acquisition of any Units under the Offer”.”.

**Where this instrument applies**

5. This instrument applies in relation to the off-market bid (*Bid*) by the Bidder for all of the ordinary shares in AIMS Property Securities Fund ARSN 111 442 150 (the *Target*), for which a bidder's statement was lodged by the Bidder with ASIC on 23 June 2022 (*Bidder's Statement*), where a replacement bidder's statement is lodged with ASIC in relation to the Bid that:
- (a) includes offers subject to a condition that, prior to the end of the offer period, there is not in effect any temporary or final order, decision or decree issued by any court of competent jurisdiction or Public Authority; no action or investigation is announced, commenced or threatened by any Public Authority; and no application is made to any Public Authority, in consequence of or in connection with the Offer (other than an application to, or decision, or order of, or action by, or investigation by, ASIC or the Takeovers Panel in exercise of the power of discretion conferred by the Corporation Act), the effect of which may restrain, prohibit, threaten to restrain or prohibit, or otherwise adversely impact upon, the making of the Offer or the acquisition of any Units under the Offer; and
  - (b) includes details of the effect of the modification provided for in this instrument.

Dated this 20<sup>th</sup> day of July 2022



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

22-0662

## 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 18 July 2022.


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

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

To: Global Funding Partners Pty Ltd ACN 602 324 658

TAKE NOTICE that under section 915B of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 502802 held by Global Funding Partners Pty Ltd ACN 602 324 658.

Dated this 8<sup>th</sup> day of July 2022

Signed: 

Christine Croft, a delegate of the Australian Securities and Investments Commission

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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 19 July 2022.


**Australian Securities and Investments Commission**  
**Banning order under sections 920A and 920B of the *Corporations Act 2001***

To: Ezzat-Daniel Nesseim

Take notice that, under s920A and s920B of the *Corporations Act 2001*, the Australian Securities and Investments Commission prohibits Ezzat-Daniel Nesseim permanently from:

- (a) controlling, whether alone or in concert with one or more other entities, an entity that carries on a financial services business; and
- (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).

Dated this 14th day of July 2022.

  
Signed:  
Graeme Darcy Plath  
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. A contravention of s920C(2) is an offence.

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 22-0665.

**Commencement**

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

**Declaration**

4. Chapter 6D of the Act applies to a person who holds securities in Nightingale, as if section 707 was modified or varied by omitting subsection 707(3) and subsection 707(4) and substituting the following subsection:

- “(3) An offer of a body’s securities for sale within 12 months after their issue needs disclosure to investors under this Part if the body issued the securities:
- (a) without disclosure to investors under this Part; and
  - (b) with the purpose of the person to whom they were issued:
    - (i) selling or transferring them; or
    - (ii) granting, issuing or transferring interests in, or options or warrants, over, them;
- and section 708 and 708A does not say otherwise.”

**Where this instrument applies**

5. This instrument applies where a person who holds securities in Nightingale makes an offer of those securities for sale (*Sale Securities*) where:
  - (a) the sale offer occurs within 12 months of the issue of the Sale Securities;
  - (b) the Sale Securities are in the same class as the securities offered under the Prospectus;
  - (c) the Sale Securities were issued by Nightingale without disclosure under Chapter 6D of the Act as a result of:

- (i) conversion of preferred stock and convertible notes, or, the exercise of Existing Warrants, on or around the settlement of the offer made under the Prospectus; or
- (ii) vesting, exercise or conversion (as applicable) of the Bridge Convertible Loan Agreement, Existing Options, Silicon Valley Warrants and RSUs.

#### Interpretation

6. In this instrument:

*Bridge Convertible Loan Agreement* means the convertible loans issued under the Convertible Loan Agreement granted by Nightingale prior to the date of the Prospectus under the terms set out in the Prospectus.

*Existing Options* means the options that were granted by Nightingale prior to the date of the Prospectus under the terms set out in the Prospectus.

*Existing Warrants* means the warrants that were granted by Nightingale prior to the date of the Prospectus under the terms described in the Prospectus.

*IPO* means the initial public offer of securities in Nightingale that are to be quoted on the financial market operated by ASX Limited ACN 008 624 691.

*Nightingale* means Nightingale Intelligent Systems, Inc, a company incorporated under the laws of the State of Delaware, United States of America.

*Prospectus* means the prospectus lodged with ASIC on or around 5 August 2022 in connection with the IPO.

*RSUs* means the restricted stock units that were granted by Nightingale prior to the date of the Prospectus under the terms set out in the Prospectus.

*securities* has the meaning affected by section 700(1) (as modified by ASIC Class Order [CO 14/827] of the Act.

*Silicon Valley Warrants* means the warrants that were granted by Nightingale to Silicon Valley Bank prior to the date of the Prospectus under the terms set out in the Prospectus.

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



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

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**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsections 601QA(1), 741(1), 926A(2),  
992B(1) and s1020F(1) – Exemptions**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsections 601QA(1), 741(1), 926A(2), 992B(1) and s1020F(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 22-0666.

**Commencement**

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

**Nature of this instrument**

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

**Disclosure relief***Offers made under an employee incentive scheme*

5. The Company or a related body corporate that makes an offer under an employee incentive scheme covered by this instrument does not have to comply with Part 6D.2, 6D.3 or Part 7.9 of the Act in relation to the offer.
6. A trustee that holds or will hold underlying eligible products in connection with an employee incentive scheme covered by this instrument and which makes an offer of a unit in the underlying eligible product to an eligible participant does not have to comply with Part 6D.2, 6D.3 or Part 7.9 of the Act in relation to the offer of the unit.

*Subsequent sale offers*

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

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

*Advisers*

9. A financial services licensee or an authorised representative of a financial services licensee who gives financial product advice to an eligible participant that consists of, or includes, a recommendation to acquire an eligible product in connection with an employee incentive scheme, does not have to comply with section 1012A of the Act in relation to the giving of such advice, provided the person giving the advice has no reason to believe the employee incentive scheme is not covered by this instrument.

**Licensing, hawking and other incidental relief***General advice*

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

*Dealing*

11. The Company or a related body corporate that provides any of the following financial services in relation to an offer in connection with an employee incentive scheme covered by this instrument does not have to comply with subsection 911A(1) of the Act in relation to the financial service:
- (a) issuing the eligible product;
  - (b) dealing in the eligible product where any acquisition by purchase or disposal of the eligible product by the Company or a related body corporate occurs either:
    - (i) through a financial services licensee; or
    - (ii) outside this jurisdiction and through a person which is licensed or otherwise authorised to deal in financial products of that kind in the relevant place;

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- (c) dealing in an interest in a managed investment scheme covered by paragraph 15 of this instrument or paragraph 28C of ASIC Class Order [CO 14/1000].

*Custodial or depository services*

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

*Hawking*

13. The Company or a related body corporate that makes an offer of an eligible product to an eligible participant in the course of, or because of, an unsolicited contact with the eligible participant made in connection with an employee incentive scheme covered by this instrument does not have to comply with section 992A of the Act.

*Advertising*

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

*Incidental managed investment scheme*

15. The Company or a related body corporate or trustee that operates a managed investment scheme only by reason of operating a contribution plan in connection with an employee incentive scheme covered by this instrument does not have to comply with section 601ED of the Act in relation to the operation of that managed investment scheme.

**Conditions***Notice of reliance*

16. The Company or a related body corporate making an offer in connection with a particular employee incentive scheme must give ASIC a notice of reliance.

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

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

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scheme.

*Disclosure*

18. The Company or a related body corporate that makes an offer under an employee incentive scheme must ensure that the offer is made in, or is accompanied by, an offer document.

*Offers of overlying eligible products*

19. If the Company, a related body corporate or a trustee makes an offer of an overlying eligible product under an employee incentive scheme, the Company or the related body corporate must ensure that, if the overlying eligible product is not able to be traded on an eligible financial market, the offer is for no more than nominal monetary consideration.

Note: This paragraph 19 does not prohibit an offer for more than nominal monetary consideration of an underlying eligible product held or to be held by a trustee under a trust in relation to which the eligible participant acquires or will acquire a unit in the underlying eligible product because it is or will be held by the trustee under the trust.

*5% issue limit*

20. The Company or a related body corporate that makes an offer covered by this instrument must, at the time of making the offer, have reasonable grounds to believe that the number of underlying eligible products in a class of underlying eligible products that form part of the issued capital of the Company that have been or may be issued in any of the circumstances covered by the following paragraphs will not exceed 5% of the total number of underlying eligible products in that class on issue:
- (a) underlying eligible products that may be issued under the offer;
  - (b) underlying eligible products issued or that may be issued as a result of offers made at any time during the previous 3 year period under:
    - (i) an employee incentive scheme or like scheme of the Company or a related body corporate, where offers were covered by this instrument or an individual instrument made by ASIC in terms similar to this instrument; or
    - (ii) an employee incentive scheme or employee share scheme of the Company or a related body corporate, where the offers were covered by ASIC Class Order [CO 14/1000] or an individual instrument made by ASIC in terms similar to that class order.

*Trusts*

21. The Company or a related body corporate that makes an offer of an underlying eligible product under an employee incentive scheme in relation to which a trustee holds or will hold the underlying eligible products must ensure:
- (a) the activities of the trustee of the trust in that capacity are limited to employee incentive schemes of the Company or the related body corporate (whether or not the other employee incentive schemes are covered by this instrument);

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- (b) the trustee maintains written records on the administration of the trust including, in the case of underlying eligible products being held for a specified eligible participant on an allocated basis, written records that identify the underlying eligible products held on an allocated basis for the specified eligible participant;

Note: The written records in relation to underlying eligible products held on an allocated basis may take the form of a sub-register administered by or on behalf of the trustee.

- (c) the trustee does not levy any fees or charges for administering the trust that are payable directly by any eligible participant or out of the assets of the trust, other than reasonable disbursements including brokerage and tax levied or incurred in connection with the trust;
- (d) if the trustee is the Company or an associate of the Company —the trustee does not, at its own discretion, exercise any voting rights attaching to any of the underlying eligible products that it holds on trust; and
- (e) the trustee, either alone or together with one or more other trustees, does not hold more than 5% of the voting shares or voting interests in the Company calculated by reference to all employee incentive schemes or like schemes of the Company or a related body corporate in relation to which offers were covered by this instrument, ASIC Class Order [CO 14/1000] or an individual instrument made, on or after the commencement of this instrument, by ASIC in terms similar to this instrument.

#### *Contribution plans*

22. The Company or a related body corporate that makes an offer under an employee incentive scheme that involves a contribution plan:
- (a) must not allow an eligible participant to participate in the contribution plan unless the eligible participant has agreed in writing to the terms of the contribution plan;
  - (b) must not allow an eligible participant to participate in the contribution plan to acquire an underlying eligible product that is not able to be traded on an eligible financial market;  
  
Note: This subparagraph (b) does not prohibit an eligible participant from participating in a contribution plan to acquire an underlying eligible product held or to be held by a trustee under a trust in relation to which the eligible participant acquires or will acquire a unit in the underlying eligible product because it is or will be held by the trustee under the trust.
  - (c) must ensure that any contributions (other than contributions in the form of future gross (before-tax) salary or wages or from a loan from the Company or a related body corporate to an eligible participant) under the terms of the contribution plan which are to be used but have not yet been used to acquire underlying eligible products are held by or on behalf of the Company or a related body corporate on trust for eligible participants, in an account with an Australian ADI that is used solely in connection with employee incentive schemes of the Company or a related body corporate (whether or not the other employee incentive schemes are covered by this instrument), whether the account is maintained in this jurisdiction or elsewhere;
  - (d) must ensure that if underlying eligible products have been acquired by the trustee for a

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specified eligible participant on an allocated basis using contributions made by the eligible participant under a contribution plan, the eligible participant has the right to:

- (i) exercise, or to direct the trustee of the underlying eligible products to exercise on their behalf, any voting rights attaching to the underlying eligible products; and
- (ii) receive income deriving from the underlying eligible products, including dividends and distributions;

Note: The right to receive dividends or distributions may be subject to terms that the dividends or distributions are to be applied to repay a loan from the Company or a related body corporate to the eligible participant in connection with the employee incentive scheme.

- (e) unless the eligible participant (or a person covered by one of the sub-subparagraphs in subparagraph 25(3)) has already acquired the eligible products under the employee incentive scheme— must ensure that an eligible participant may, by giving a notice to the Company or a related body corporate, discontinue their participation in the contribution plan, the discontinuance to take effect no more than 45 days after the giving of the notice; and
- (f) must ensure that if an eligible participant has discontinued their participation in the contribution plan, any contributions (other than contributions in the form of future gross (before-tax) salary or wages or from a loan from the Company or a related body corporate to an eligible participant) under the terms of the contribution plan that have not been used to acquire underlying eligible products, are repaid to or as directed by the participant as soon as practicable after the participant has discontinued their participation in the contribution plan (such repayment including any accumulated interest (if any), less any tax).

#### *Loans*

23. The Company or a related body corporate making an offer of an eligible product under an employee incentive scheme that involves a loan from the Company or a related body corporate to an eligible participant to acquire the product:
- (a) must ensure that the loan is not provided to acquire options or incentive rights; and
  - (b) must ensure that under the terms of the loan:
    - (i) no fees or interest is payable; and
    - (ii) either:
      - (A) the lender has no recourse against the participant in relation to the repayment of the loan; or
      - (B) the recourse of the lender against the participant in relation to the repayment of the loan is limited to forfeiture of the eligible products issued or transferred to, or held on behalf of, the participant in connection with the scheme.

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**ASIC power to request documents**

24. The Company or a related body corporate must, if requested by ASIC and in accordance with the request, make available to ASIC the offer document and all other accompanying information or documents given to eligible participants in connection with the offer made in reliance on this instrument.

**Interpretation**

25. In this instrument:

- (1) *able to be traded* has the meaning given by section 761A of the Act;

*associate* has the meaning given by Division 2 of Part 1.2 of the Act (except sections 12 and 16);

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

*Company* means Haleon plc, a company incorporated in England and Wales;

*contractor*, in relation to the Company or a related body corporate, means:

- (a) an individual with whom the body has entered into a contract for the provision of services under which the individual performs work for the body; or
- (b) a company with whom the body has entered into a contract for the provision of services under which an individual, who is a director of the company or their spouse, performs work for the body;

where the individual who performs the work under or in relation to the contract is, or might reasonably be expected to be, engaged to work the number of hours that are the pro-rata equivalent of 40% or more of a comparable full-time position with the body;

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

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

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

- (a) gross (before-tax) wages or salary;

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(b) net (after-tax) wages or salary;

(c) other monies;

*eligible financial market* means a financial market specified in column 1 of Table A and, unless a contrary intention appears, is limited to the main board of that market;

*eligible participant*, in relation to the Company or a related body corporate, means a person specified in column 3 of Table A;

*eligible product*, in relation to the Company, means a financial product specified in column 2 of Table A;

*employee incentive scheme* means an arrangement under which eligible products of the Company are offered to eligible participants;

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

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

*incentive right* means a conditional right:

- (a) to acquire underlying eligible products;
- (b) to be paid a cash amount that is ultimately determined by reference to (wholly or in part):
  - (i) the price or value at a given time of the underlying eligible product to which the right relates;
  - (ii) a change in the price or value over a given period of the underlying eligible product to which the right relates;
  - (iii) the amount or value of dividends or distributions paid or payable in relation to the underlying eligible product to which the right relates; or
  - (iv) a change in the amount or value over a given period of time of dividends or distributions paid or payable in relation to the underlying eligible product to which the right relates; or
- (c) to acquire or to be paid a combination of underlying eligible products and a cash amount as determined in accordance with paragraph (b);

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

*notice of reliance*, in relation to a particular employee incentive scheme, means a written notice in a form approved in writing by ASIC for the purposes of ASIC Class Order CO 14/1000;

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

- (a) an offer to issue the eligible product;
- (b) an issue or grant of the eligible product;
- (c) an offer to transfer the eligible product;
- (d) a transfer of the eligible product;
- (e) an offer to arrange for the issue or transfer of the eligible product;

but does not include an issue, grant or transfer of an underlying eligible product made by reason of the exercise or vesting of an overlying eligible product in circumstances where an offer to issue or transfer the overlying eligible product had been previously made.

*offer document*, in relation to an offer of eligible products under an employee incentive scheme, means a document which includes, or is accompanied by, the following information, statements and explanations worded and presented in a clear, concise and effective manner:

- (a) prominent statements to the effect that:
  - (i) any advice given by the Company in relation to eligible products offered under the employee incentive scheme does not take into account an eligible participant's objectives, financial situation and needs; and
  - (ii) eligible participants should consider obtaining their own financial product advice from a person who is licensed by ASIC to give such advice;
- (b) either:
  - (i) a copy of the terms of the employee incentive scheme; or
  - (ii) a summary of the terms of the scheme together with a statement that, on request and at no charge and within a reasonable time, the Company will provide an eligible participant with a copy of the terms of the scheme;
- (c) general information about the risks of acquiring and holding an eligible product being offered under the employee incentive scheme;
- (d) if a trustee will hold underlying eligible products for specified eligible participants on an allocated basis in connection with the employee incentive scheme and those eligible participants will have the right to:
  - (i) exercise, or direct the trustee to exercise on their behalf, any rights (including voting rights) attaching to the underlying eligible products; or

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- (ii) receive income deriving from the underlying eligible products, including dividends or distributions,  
then either:
  - (iii) a copy of the trust deed; or
  - (iv) a summary of the terms of the trust deed together with a statement that, on request and at no charge and within a reasonable time, the Company will provide an eligible participant with a copy of the trust deed;
- (c) if the employee incentive scheme involves a contribution plan—either:
  - (i) a copy of the contribution plan; or
  - (ii) a summary of the terms of the contribution plan together with a statement that, on request and at no charge and within a reasonable time, the Company will provide an eligible participant with a copy of the terms of the contribution plan;
- (f) if the employee incentive scheme involves a loan from the Company or a related body corporate to an eligible participant to acquire the product—a copy of the terms of the loan;
- (g) the acquisition price of the eligible products in Australian dollars or, where the acquisition price is to be worked out in the future under a formula, an explanation of how an eligible participant could calculate the acquisition price of the eligible products in Australian dollars were that formula applied at the date of the offer;
- (h) an explanation of how an eligible participant could, from time to time, ascertain the market price of the underlying eligible products in Australian dollars following quotation of the Company's shares on the eligible financial market;

**overlying eligible product** means an eligible product specified in any of paragraphs (g) to (i) in column 2 of Table A;

**prospective participant**, in relation to an offer of an eligible product under an employee incentive scheme, means a person to whom the offer is made but who can only accept the offer if an arrangement has been entered into that will result in the person becoming covered by paragraph (a), (b), (c) or (d) of column 3 of Table A;

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

**stapled security** means two or more eligible products which, under the terms on which each is traded, must be transferred together;

**trustee** means a body that holds or will hold underlying eligible products on trust for the following persons in connection with an employee incentive scheme:

- (a) eligible participants generally on an unallocated basis; or

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- (b) one or more specified eligible participants on an allocated basis;

*underlying eligible product* means an eligible product specified in any of paragraphs (a) to (f) in column 2 of Table A;

- (2) if the Company is a registered scheme:
- (i) the conferral of relief on the Company is taken to be the conferral of relief on the responsible entity of the scheme;
  - (ii) a requirement imposed on the Company is taken to be a requirement imposed on the responsible entity of the scheme;
  - (iii) a reference to occupying a position or role with the Company is taken to be a reference to occupying a position or role with the responsible entity of the scheme;
  - (iv) the definition of *related body corporate* is to be applied as if the Company were either the registered scheme or the responsible entity of the scheme;
- (3) an offer of eligible products to an eligible participant under an employee incentive scheme on terms that the eligible participant may renounce the offer in favour of a person covered by one of the following sub-subparagraphs is to be treated as an offer of eligible products to the eligible participant:
- (i) an immediate family member of the eligible participant;
  - (ii) a company whose members comprise no persons other than the eligible participant or immediate family members of the participant;
  - (iii) a corporate trustee of a self-managed superannuation fund (within the meaning of the *Superannuation Industry (Supervision) Act 1993*) where the eligible participant is a director of the trustee;
- (4) an employee incentive scheme, employee share scheme, or like scheme, is *covered by* an instrument to the extent that offers are made, or other conduct is carried out, in reliance on the instrument;
- (5) for the avoidance of doubt, a document or other writing to be given in connection with this instrument may be given by electronic means (including, in the case of a document or other writing to be given by the Company or a related body corporate in reliance on this instrument, by way of making it available on a website and notifying the intended recipient that it is available on the website).

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



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

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Table A

| Column 1<br>Eligible financial market   | Column 2<br>Eligible product  | Column 3<br>Eligible participant  |
|---|---|---|
| <p>(a) ASX (also known as the Australian Securities Exchange);</p> <p>(b) an approved foreign market (see section 9 of the Act).</p> <p>Note: the definition of approved foreign market is notionally inserted by ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669</p> | <p>(a) a fully paid share of the Company that is in a class of shares able to be traded on an eligible financial market;</p> <p>(b) a beneficial interest in a fully paid share of the Company where the interest is in a class of interests that is able to be traded on an eligible financial market;</p> <p>(c) a fully paid share of the Company in relation to which both of the following apply:</p> <p>(i) a beneficial interest in a share of that class are in a class of interests that is able to be traded on an eligible financial market;</p> <p>(ii) the share is convertible into the beneficial interest without charge or for a nominal fee;</p> <p>(d) a beneficial interest in a fully paid share of the Company in relation to which both of the following apply:</p> <p>(i) the fully paid share is in a class of shares that is able to be traded on an eligible financial market;</p> <p>(ii) the beneficial interest is convertible into the share without charge or for a nominal fee;</p> <p>(e) a fully paid stapled security of the Company that is in a class of stapled securities that is able to be traded on ASX;</p> <p>(f) where the Company is a registered scheme—an interest in the Company that is in a class of interests that is able to be traded on ASX;</p> <p>(g) a unit in a financial product mentioned in paragraphs (a) to (f);</p> <p>(h) an option to acquire, by way of issue or transfer, a financial product mentioned in paragraphs (a) to (f);</p> <p>(i) an incentive right granted in relation to a financial product mentioned in</p> | <p>(a) a full-time or part-time employee (including an executive director);</p> <p>(b) a non-executive director;</p> <p>(c) a contractor;</p> <p>(d) a casual employee;</p> <p>(e) a prospective participant.</p> |

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| Column 1<br>Eligible financial market | Column 2<br>Eligible product<br>paragraphs (a) to (f). | Column 3<br>Eligible participant |
|---------------------------------------|--|----------------------------------|
|                                       |  |                                  |

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this twenty-second day of July 2022

**Name of Company**

**ARBN**

BBC STUDIOS DISTRIBUTION LIMITED

002 729 973

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 July 2022

| <b>Name of Company</b>                          | <b>ARBN</b> |
|---|-------------|
| ATHOS INVESTMENTS PTE LTD                       | 631 037 440 |
| FIRST DISTRIBUTION ENTERPRISE PTE LTD           | 631 038 974 |
| KINETICA DB PTE. LTD.                           | 638 179 816 |
| MORGAN STANLEY INVESTMENT MANAGEMENT<br>LIMITED | 079 221 104 |
| POLYBUILDING (S) PTE LTD                        | 623 271 821 |
| REZAL (S) PTE LTD                               | 631 035 437 |

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 July 2022

| <b>Name of Scheme</b>                                  | <b>ARSN</b> |
|--|-------------|
| BIOFOREST SUSTAINABLE TIMBER AND BIOFUEL PROJECT 2007  | 124 133 535 |
| FUTURE RENEWABLES FUND                                 | 628 987 842 |
| OIG INCOME GENERATOR FUND                              | 648 130 394 |
| THE POOLED MORTGAGE MANAGED INVESTMENT SCHEME          | 095 540 597 |
| WILLMOTT FORESTS PREMIUM FORESTRY BLEND - 2010 PROJECT | 142 722 585 |
| WILLMOTT FORESTS PREMIUM FORESTRY BLEND PROJECT        | 131 549 589 |
| WILLMOTT FORESTS PROJECT                               | 089 379 975 |
| WILLMOTT FORESTS 1989-1991 PROJECT                     | 092 516 651 |

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.

**ALIMENTA PTY LTD** ACN 614 189 301 will change to a public company limited by shares. The new name will be ALIMENTA LTD ACN 614 189 301.

**GENX RESOURCES PTY LTD** ACN 656 092 830 will change to a public company limited by shares. The new name will be GENX RESOURCES LIMITED ACN 656 092 830.

**NELDNER ROAD VINTNERS PTY LTD** ACN 168 304 836 will change to a public company limited by shares. The new name will be NELDNER ROAD VINTNERS LIMITED ACN 168 304 836.

**TARTANA RESOURCES LIMITED** ACN 126 905 726 will change to a proprietary company limited by shares. The new name will be TARTANA RESOURCES PTY LTD ACN 126 905 726.

**FETCH METALS PTY LIMITED** ACN 652 075 959 will change to a public company limited by shares. The new name will be FETCH METALS LIMITED ACN 652 075 959.

**HOLOPTICA INTERNATIONAL LTD** ACN 629 020 346 will change to a proprietary company limited by shares. The new name will be HOLOPTICA INTERNATIONAL PTY LTD ACN 629 020 346.

**SOFTWARE COMBINED GROUP LTD** ACN 651 989 007 will change to a proprietary company limited by shares. The new name will be SOFTWARE COMBINED GROUP PTY LTD ACN 651 989 007.