

Jessica Zhang

From: s 22
Sent: Tuesday, 24 September 2019 10:09 AM
To: s 22
Subject: ENFWA Casebook [SEC=UNCLASSIFIED]
s 22

Hi Team:

For the benefit of our new starters, I attach our ENFWA casebook as at end of June

Kind regards.

s 22
Senior Manager, Enforcement WA Financial Services
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth WA, 6000

s 22



Jessica Zhang

From: s 22
Sent: Monday, 25 November 2019 10:42 PM
To: s 22
Cc: s 22
Subject: RE: Books & Records s 47F Pitcher Partners [DLM=Sensitive]
s 22

Hi s 22

In advance of tomorrow's meeting to discuss the notice to Pitcher Partners please see the attached Notice.

I have done a quick review of the below notice and attach a new version with an amended schedule and mark up and with my comments.

Kind regards

s 22
Lawyer, Enforcement WA, Financial Services
Australian Securities and Investments Commission
Level 11, 11 Mounts Bay Road, Perth, 6000
s 22



From: s 22
Sent: Monday, 25 November 2019 1:18 PM
To: s 22
Cc: s 22
Subject: FW: Books & Records s 47F /Pitcher Partners [DLM=Sensitive]

FYI

See below, this is the s30A Notice we need to get finalised and issued in the next two days.

Regards

s 22
Investigator, Enforcement WA
Australian Securities and Investments Commission
Level 11, 11 Mounts Bay Road, Perth, 6000
s 22



From: s 22
Sent: Friday, 22 November 2019 4:24 PM
To: s 22
Cc: s 22
Subject: Books & Records s 47F /Pitcher Partners [DLM=Sensitive]

Hi s 22

As requested I have prepared in draft the below notice (see link).

As discussed previously I have reviewed the Enforcement Manual which indicates that the s 47C, s 47E (d)

[Redacted]

That was used as the base format with:

- Contact details from our recent S19 notice
- s 47C, s 47E (d) [Redacted]
- Standard terms used from their proforma (which is based on the S33 format or template)
- Relevant entity and time frame details for SIT replicated from our S19 notices and what we required from our examination
- Some definitions included from the recent S33 Theta notice issued by you
- Schedule format utilised to cover all items required as per S19 examination which was also then s 47C, s 47E (d) [Redacted]

Happy to discuss when you have a convenient time – noting s 47F on leave next week anyway.

[20191125 Notice s30A - Pitcher - SIT.docx](#)

Regards

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

s 22

Jessica Zhang

From: s 22
Sent: Wednesday, 27 November 2019 7:14 PM
To: s 22
Subject: RE: SIT Companies [DLM=Sensitive]

Hi s 22

Thanks for sending those through! I will add them in now.

Thanks and kind regards,

s 22
Investigator, Enforcement WA, Financial Services
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000

s 22



From: s 22
Sent: Wednesday, 27 November 2019 3:24 PM
To: s 22
Subject: SIT Companies [DLM=Sensitive]

Hi s 22

The Senior Counsel claim refers to these entities which may assist/will align with VA/Liquidator reports.

Included in the Group are the following Entities (which the liquidators have also been appointed to and will be included in their investigation):

- Acquest Capital Pty Ltd ACN 149 170 927 – [Company Search](#)
- Acquest Property Pty Ltd ACN 167 584 572 – [Company Search](#)
- Gage Management Ltd ACN 625 343 697 – [Company Search](#)
- Rental Management Australia Developments Pty Ltd ACN 146 806 662 – [Company Search](#)
- SHL Management Services Pty Ltd ACN 616 583 281 – [Company Search](#)
- Silverlink Investment Company Ltd ACN 623 500 407 – [Company Search](#)
- Silver Link Securities Pty Ltd ACN 622 598 823 – [Company Search](#)
- Sterling Corporate Services Pty Ltd ACN 158 361 507 – [Company Search](#)
- Sterling First Projects Pty Ltd ACN 162 801 425 – [Company Search](#)

Sterling First Property Pty Ltd ACN 610 765 976 – [Company Search](#)

Regards

s 22
Investigator, Enforcement WA
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000
s 22

Jessica Zhang

From: s 22
Sent: Wednesday, 27 November 2019 6:24 PM
To: s 22
Subject: SIT Companies [DLM=Sensitive]

Hi s 22

The Senior Counsel claim refers to these entities which may assist/will align with VA/Liquidator reports.

Included in the Group are the following Entities (which the liquidators have also been appointed to and will be included in their investigation):

- Acquest Capital Pty Ltd ACN 149 170 927 – [Company Search](#)
- Acquest Property Pty Ltd ACN 167 584 572 – [Company Search](#)
- Gage Management Ltd ACN 625 343 697 – [Company Search](#)
- Rental Management Australia Developments Pty Ltd ACN 146 806 662 – [Company Search](#)
- SHL Management Services Pty Ltd ACN 616 583 281 – [Company Search](#)
- Silverlink Investment Company Ltd ACN 623 500 407 – [Company Search](#)
- Silver Link Securities Pty Ltd ACN 622 598 823 – [Company Search](#)
- Sterling Corporate Services Pty Ltd ACN 158 361 507 – [Company Search](#)
- Sterling First Projects Pty Ltd ACN 162 801 425 – [Company Search](#)

Sterling First Property Pty Ltd ACN 610 765 976 – [Company Search](#)

Regards

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

s 22

Jessica Zhang

From: s 22
Sent: Wednesday, 27 November 2019 7:21 PM
To: s 22
Subject: RE: SIT Companies [DLM=Sensitive]

No problems – s 22 .

Regards

s 22
Investigator, Enforcement WA
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000
s 22

From: s 22
Sent: Wednesday, 27 November 2019 4:14 PM
To: s 22
Subject: RE: SIT Companies [DLM=Sensitive]

Hi s 22

Thanks for sending those through! I will add them in now.

Thanks and kind regards,

s 22
Investigator, Enforcement WA, Financial Services
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000
s 22



From: s 22
Sent: Wednesday, 27 November 2019 3:24 PM
To: s 22
Subject: SIT Companies [DLM=Sensitive]

Hi s 22

The Senior Counsel claim refers to these entities which may assist/will align with VA/Liquidator reports.

Included in the Group are the following Entities (which the liquidators have also been appointed to and will be included in their investigation):

- Acquest Capital Pty Ltd ACN 149 170 927 – [Company Search](#)
- Acquest Property Pty Ltd ACN 167 584 572 – [Company Search](#)
- Gage Management Ltd ACN 625 343 697 – [Company Search](#)
- Rental Management Australia Developments Pty Ltd ACN 146 806 662 – [Company Search](#)
- SHL Management Services Pty Ltd ACN 616 583 281 – [Company Search](#)
- Silverlink Investment Company Ltd ACN 623 500 407 – [Company Search](#)
- Silver Link Securities Pty Ltd ACN 622 598 823 – [Company Search](#)
- Sterling Corporate Services Pty Ltd ACN 158 361 507 – [Company Search](#)
- Sterling First Projects Pty Ltd ACN 162 801 425 – [Company Search](#)

Sterling First Property Pty Ltd ACN 610 765 976 – [Company Search](#)

Regards

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

s 22

Jessica Zhang

From: s 22
Sent: Friday, 29 November 2019 1:41 PM
To: s 22
Cc: s 22
Subject: RE: S33 s 47F [DLM=Sensitive]
s 22

See comments below – I have updated on attached document now

Regards

s 22
Investigator, Enforcement WA
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000
s 22

From: s 22
Sent: Friday, 29 November 2019 10:11 AM
To: s 22
Cc: s 22
Subject: RE: S33 s 47F [DLM=Sensitive]

Hi s 22 first run, s 22 hope this assists.

In letter put your email address near your mobile number on the covering email. **Included**

In the Notice:

SIT does not have an ACN it has an ARSN. **Changed**

Don't believe you need to include all the extra info on SCS (keep to the name and ACN), same with Theta, just list the companies is how I would do it, don't extend with info that could raise issues, eg. SCS was an AR of both Theta and Libertas, just adds confusion. **Removed**

"At:" is meant to be the time not ASIC. Eg. 10am **Made as 2pm EST**

In the Schedule:

"Companies" should be in alpha order please.

I would take the (XIV) under Companies and draw that out separately to the list of companies and define it in connection to the companies. Eg. you refer to "agents of the companies" in the "Communications", so you should address this issue clearly. **Left as is – just the standard catch all as I understand from template**

Books 1. (i) is missing? **Removed**

Point 2 do we really want to ask for solicitors comms that will be claimed under LPP? **Removed – I must admit thought the same but was in the standard template**

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

Tel: +61 8 9261 4061

s 22



From: s 22

Sent: Friday, 29 November 2019 9:51 AM

To: s 22

Subject: RE: S33 s 47F [DLM=Sensitive]

Thanks s 22

No comments on the scope of the terms or definitions. I believe they ought capture the required documents from the recipient as described by s 22

I note there are some typos and inconsistent formatting issues in the schedule that should be corrected before it is sent for settling and approval by an appropriate lawyer.

Kind regards

s 22

Lawyer, Enforcement WA, Financial Services

Australian Securities and Investments Commission

Level , 11 Mounts Bay Road, Perth, 6000

s 22



From: s 22

Sent: Friday, 29 November 2019 9:30 AM

To: s 22

Subject: S33 s 47F [DLM=Sensitive]

Hi s 22

Please see attached prepared by s 22 comments accepted and finalised by me, and now ready for review by appropriate lawyer before issue this morning.

Do you have nay additional comments/changes?

Regards

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

s 22

Jessica Zhang

From: s 22
Sent: Friday, 29 November 2019 2:13 PM
To: s 22
Cc: s 22
Subject: RE: S33 s 47F [DLM=Sensitive]
s 22

See attached update now including – as discussed both points covered in Notice but removed from my initial draft as the standard template does not have them.

Regards

s 22
Investigator, Enforcement WA
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000
s 22

From: s 22
Sent: Friday, 29 November 2019 10:57 AM
To: s 22
Cc: s 22
Subject: RE: S33 s 47F [DLM=Sensitive]

Hi Guys we also need to define a relevant time period for the offending in the notice. Currently there is no relevant period of offending.

From: s 22
Sent: Friday, 29 November 2019 10:50 AM
To: s 22
Cc: s 22
Subject: RE: S33 s 47F [DLM=Sensitive]

As I'm reading I note that the covering letter does not refer to the requirement to produce certain books "in relation into an investigation in relation to suspected contraventions of 912A, 601FD etc. If this has been omitted for a specific reason please let me know.

s 22
Lawyer, Enforcement WA; Markets
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, PERTH WA, 6000
s 22



From: S 22
 Sent: Friday, 29 November 2019 10:41 AM
 To: S 22
 Cc: S 22
 Subject: RE: S33 S 47F [DLM=Sensitive]

See comments below – I have updated on attached document now

Regards

S 22
 Investigator, Enforcement WA
Australian Securities and Investments Commission
 Level 1, 11 Mounts Bay Road, Perth, 6000
 S 22

From: S 22
 Sent: Friday, 29 November 2019 10:11 AM
 To: S 22
 Cc: S 22
 Subject: RE: S33 S 47F [DLM=Sensitive]

Hi S 22 first run, S 22 hope this assists.

In letter put your email address near your mobile number on the covering email. **Included**

In the Notice:

SIT does not have an ACN it has an ARSN. **Changed**

Don't believe you need to include all the extra info on SCS (keep to the name and ACN), same with Theta, just list the companies is how I would do it, don't extend with info that could raise issues, eg. SCS was an AR of both Theta and Libertas, just adds confusion. **Removed**

"At:" is meant to be the time not ASIC. Eg. 10am **Made as 2pm EST**

In the Schedule:

"Companies" should be in alpha order please.

I would take the (XIV) under Companies and draw that out separately to the list of companies and define it in connection to the companies. Eg. you refer to "agents of the companies" in the "Communications", so you should address this issue clearly. **Left as is – just the standard catch all as I understand from template**

Books 1. (i) is missing? **Removed**

Point 2 do we really want to ask for solicitors comms that will be claimed under LPP? **Removed – I must admit thought the same but was in the standard template**

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

s 22



From: s 22 >

Sent: Friday, 29 November 2019 9:51 AM

To: s 22

Subject: RE: S33 s 47F [DLM=Sensitive]

Thanks s 22

No comments on the scope of the terms or definitions. I believe they ought capture the required documents from the recipient as described by s 22

I note there are some typos and inconsistent formatting issues in the schedule that should be corrected before it is sent for settling and approval by an appropriate lawyer.

Kind regards

s 22

Lawyer, Enforcement WA, Financial Services

Australian Securities and Investments Commission

Level , 11 Mounts Bay Road, Perth, 6000

s 22



From: s 22

Sent: Friday, 29 November 2019 9:30 AM

To: s 22

Subject: S33 s 47F [DLM=Sensitive]

Hi s 22

Please see attached prepared by s 22 comments accepted and finalised by me, and now ready for review by appropriate lawyer before issue this morning.

Do you have nay additional comments/changes?

Regards

s 22

Investigator, Enforcement WA

Australian Securities and Investments Commission

Level 1, 11 Mounts Bay Road, Perth, 6000

s 22

Jessica Zhang

From: s 22
Sent: Friday, 29 November 2019 1:18 AM
To: s 22
Cc: s 22
Subject: Retry Email [DLM=Sensitive]
s 22

Hi all,

Apologies for the mess up with the attachment earlier! Not sure what that's about but I will investigate it on Monday.

Please find attached the word doc of the Notice.

Thanks and kind regards,

s 22
Investigator, Enforcement WA, Financial Services
Australian Securities and Investments Commission
Level 1, 11 Mounts Bay Road, Perth, 6000
s 22

