



**ASIC**  
Australian Securities &  
Investments Commission

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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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24-0506

**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* (**the Act**).

**Title**

2. This instrument is ASIC Instrument 24-0506.

**Commencement**

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

**Cessation**

4. The exemption in paragraph 5 ceases to have effect on the earlier of:
  - (a) sub-paragraph 1(1) of Sch 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396* ceasing to have effect in relation to the relief that was provided under ASIC Class Order [CO 03/1100] *US SEC regulated financial service providers*; or
  - (b) UBS Asset Management (Americas) LLC, a limited liability company formed under the laws of the US State of Delaware and registered with the US Securities and Exchange Commission under number 801-34910 (the **body**), not complying 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.

**Exemption**

5. ASIC exempts the body from the requirement to hold an Australian financial services (*AFS*) licence in the case referred to in Schedule A.

**Schedule A**

1. Where all of the following apply:
  - (a) the body is:

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- (i) a registered broker dealer that is a member of the Securities Investor Protection Corporation established under the *Securities Investor Protection Act 1970* (US) and that is a member of FINRA and FINRA is the body's examining authority; or
  - (ii) a registered broker dealer that is an OTC derivatives dealer within the meaning of Rule 3b-12 promulgated under the Exchange Act who is affiliated within the meaning of that Rule with a registered broker dealer who is a member of FINRA; or
  - (iii) a registered investment adviser;
- (b) the body is either:
- (i) a body corporate incorporated in the US or a State of the US; or
  - (ii) a partnership formed in the US or a State of the US;
- (c) the body:
- (i) is registered under Div 2 of Pt 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;
- (d) the body's primary business is the provision of financial services;
- (e) neither the body nor its agent has been notified by ASIC that the body is excluded from relying on this instrument;
- (f) 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
- (g) the body has not notified ASIC that it will not rely on this instrument.
2. Where the body provides the following financial services (the *financial services*) in this jurisdiction to wholesale clients (and the body is authorised under US regulatory requirements to provide the financial service in the US):
- (a) providing financial product advice;
  - (b) dealing in a financial product;
  - (c) making a market for a financial product; or
  - (d) providing a custodial or depository service;

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in respect of any of the following financial products (that the body is authorised under US regulatory requirements to provide the financial services on in the US):

- (a) derivatives;
  - (b) foreign exchange contracts;
  - (c) securities;
  - (d) debentures, stocks or bonds issued by a government;
  - (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; and
3. Where the body has provided ASIC with all of the following:
- (a) evidence and submissions 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 s659B(1) of the Act that applies notwithstanding that the body may have ceased to rely, or never have relied, on this instrument, which 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 s50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in s659B(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 Div 2 of Pt 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 s659B(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 SEC or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the SEC to disclose to ASIC and ASIC to disclose to the SEC any information or document that the SEC or ASIC has that relates to the body;
  - (d) written consents to the disclosure by the SEC to ASIC and ASIC to the SEC of any information or document that the SEC or ASIC has that relates to the body (being consents in such form (if any) as ASIC specifies in writing).

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**Schedule B**

1. The body must provide the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the US regulatory requirements if the financial service were provided in the US in like circumstances.
2. The body must:
  - (a) 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:
    - (i) each significant change to, including the termination of, the registration as a registered broker dealer or a registered investment adviser applying to the body relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (ii) each significant particular exemption or other relief which the body obtains from the US regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (iii) each action or investigation of the following kinds taken by the SEC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
      - (A) significant enforcement action;
      - (B) significant disciplinary action;
      - (C) 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
  - (b) 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:
    - (i) the body is exempt from the requirement to hold an AFS under the Act in respect of the financial services; and
    - (ii) the body is regulated by the SEC under US laws, which differ from Australian laws.
  - (c) 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;

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**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;

**ASIC Act** means the *Australian Securities and Investments Commission Act 2001*;

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

**dealing** has the meaning given by s9 of the Act;

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

**examining authority**, in relation to the body, means a self-regulatory organisation to which the body belongs which has not been relieved of the responsibility relating to the body under s17(d)(1)(A) of the Exchange Act in any respect;

**Exchange Act** means the *Securities and Exchange Act 1934 (US)*;

**financial product** has the meaning given by s9 of the Act

**financial product advice** has the meaning given by s766B of the Act;

**financial services law** has the meaning given by s761A of the Act;

**FINRA** means the Financial Industry Regulation Authority of the US;

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

**interest in a managed investment scheme** has the meaning given by s9 of the Act;

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

**managed investment scheme** has the meaning given by s9 of the Act;

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

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

**registered broker dealer** means a broker dealer registered under s15(b) of the Exchange Act;

**registered investment adviser** means a body corporate or a partnership formed in the US or a State of the US registered under s203(c) of the *Investment Advisers Act 1940 (US)*;

**SEC** means the Securities and Exchange Commission of the US;

**securities** has the meaning given by s9 of the Act;

**US** means the United States of America;

**US regulatory requirements** means the rules that apply in relation to the financial services including:

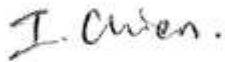
- (a) any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the SEC;
- and

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- (b) if the body is covered by subparagraph (a)(i) of Schedule A but not subparagraphs (a)(ii) or (iii) of that Schedule—any applicable rules, policies or other documents (however described) of FINRA; and

*wholesale client* has the meaning given in s761G of the Act.

Dated 15<sup>th</sup> day of July 2024



Signed by Isaac Chien  
as a delegate of the Australian Securities and Investments Commission

24-0571

**Australian Securities and Investments Commission  
Corporations Act 2001 — s926A(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* (the **Act**).

**Title**

2. This instrument is ASIC Instrument 24-0571.

**Commencement**

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

**Exemption**

4. ASIC exempts Fayeze Sarofim & Co., LLC, a limited liability company incorporated under the laws of the US, and registered with the US Securities and Exchange Commission under file number 801-1725 (the *body*), and its representatives, from the requirement to hold an Australian financial services (*AFS*) licence, in the case specified in Schedule A.

**Cessation**

5. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) Subparagraph 1(1) of Schedule 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396* ceasing to have effect in relation to the relief that was provided under ASIC Class Order [CO 03/1100] *US SEC regulated financial services providers*; or
  - (b) the body not complying 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.

**Schedule A**

1. The exemption in paragraph 4 of this instrument applies where all of the following apply:



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- (a) the body is:
- (i) a registered broker dealer that is a member of the Securities Investor Protection Corporation established under the *Securities Investor Protection Act 1970* (US) and that is a member of FINRA and FINRA is the body's examining authority; or
  - (ii) a registered broker dealer that is an OTC derivatives dealer within the meaning of Rule 3b-12 promulgated under the Exchange Act who is affiliated within the meaning of that Rule with a registered broker dealer who is a member of FINRA; or
  - (iii) a registered investment adviser;
- (b) the body is either:
- (i) a body corporate incorporated in the US or a State of the US; or
  - (ii) a partnership formed in the US or a State of the US;
- (c) the body:
- (i) is registered under Div 2 of Pt 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;
- (d) the body's primary business is the provision of financial services;
- (e) neither the body nor its Agent has been notified by ASIC that the body is excluded from relying on this instrument;
- (f) 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
- (g) the body has not notified ASIC that it will not rely on this instrument.

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2. Where the body provides any of the following financial services (the *financial services*) in this jurisdiction to wholesale clients (and the body is authorised under US regulatory requirements to provide the financial service in the US):

- (a) providing financial product advice;
- (b) dealing in a financial product;

in respect of any of the following financial products (and in respect of which the body is authorised under US regulatory requirements to provide financial services in the US):

- (a) securities;
- (b) debentures, stocks or bonds issued by a government;
- (c) managed investment products; or
- (d) interests in a managed investment scheme that is not required to be registered under Ch 5C of the Act.

3. Where the body has provided ASIC with all of the following:

- (a) evidence and submissions that paragraph 1(a) of Schedule A is satisfied;
- (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 s659B(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 s50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in s659B(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 s50 of the ASIC Act) and, in relation to

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proceedings relating to a financial services law, by any person referred to in s659B(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 SEC or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the SEC to disclose to ASIC and ASIC to disclose to the SEC any information or document that the SEC or ASIC has that relates to the body;
- (d) written consents to the disclosure by the SEC to ASIC and ASIC to the SEC of any information or document that the SEC or ASIC has that relates to the body. The consents must be in such form (if any) as ASIC specifies in writing.

**Schedule B**

1. The body must provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the US regulatory requirements if the financial service were provided in the US in like circumstances.
2. The body must:
  - (a) 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:
    - (i) each significant change to, including the termination of, the registration as a registered broker dealer or a registered investment adviser applying to the body relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (ii) each significant particular exemption or other relief which the body obtains from the US regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (iii) each action or investigation of the following kinds taken by the SEC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
      - (A) significant enforcement action;
      - (B) significant disciplinary action;
      - (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by

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law from giving such notification but only to the extent of the prohibition); and

- (b) 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:
  - (i) the body is exempt from the requirement to hold an AFS licence under the Act in respect of the financial services; and
  - (ii) the body is regulated by the SEC under US laws, which differ from Australian laws.
- (c) 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;

*ASIC Act* means the *Australian Securities and Investments Commission Act 2001*;

*dealing* has the meaning given by s9 of the Act;

*examining authority*, in relation to the body, means a self-regulatory organisation to which the body belongs which has not been relieved of the responsibility relating to the body under s17(d)(1)(A) of the Exchange Act in any respect;

*Exchange Act* means the *Securities and Exchange Act 1934* (US);

*financial product* has the meaning given by s9 of the Act;

*financial product advice* has the meaning given by s761A of the Act;

*financial services law* has the meaning given by s761A of the Act;

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**FINRA** means the Financial Industry Regulation Authority of the US;

**interest in a managed investment scheme** has the meaning given by s9 of the Act;

**managed investment product** has the meaning given by s9 of the Act;

**managed investment scheme** has the meaning given by s9 of the Act;

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

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

**registered broker dealer** means a broker dealer registered under s15(b) of the Exchange Act;

**registered investment adviser** means a body corporate or a partnership formed in the US or a State of the US registered under s203(c) of the *Investment Advisers Act 1940* (US);

**representative** has the meaning given by s9 of the Act;

**SEC** means the Securities and Exchange Commission of the US;

**securities** has the meaning given by s9 of the Act;

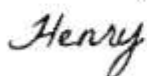
**US** means the United States of America;

**US regulatory requirements** means the rules that apply in relation to the financial services including:

- (a) any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the SEC; and
- (b) if the body is covered by subparagraph (a)(i) of Schedule A but not subparagraphs (a)(ii) or (iii) of that Schedule - any applicable rules, policies or other documents (however described) of FINRA; and

**wholesale client** has the meaning given in s761G of the Act.

Dated this 18<sup>th</sup> day of July 2024



Signed by Henry Truong  
as a delegate of the Australian Securities and Investments Commission

24-0572

**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*.

**Title**

2. This instrument is ASIC Instrument 24-0572.

**Commencement**

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

**Exemption**

4. ASIC exempts DWS Investments Hong Kong Limited (the *body*), a body corporate incorporated in Hong Kong and licensed with the SFC under Central entity number ACJ870, from the requirement to hold an Australian financial services (AFS) licence in the case specified in Schedule A.

**Cessation**

5. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - a) subparagraph 1(1) of Schedule 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396* ceasing to have effect in relation to the relief that was provided under ASIC Class Order [CO 03/1103] *Hong Kong SFC regulated financial service providers*; or
  - b) the body not complying 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 licence or certificate of registration;
  - (aa) the body is a body corporate incorporated in Hong Kong;
  - (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 a financial product;in respect of any of the following financial products:
  - (c) derivatives;
  - (d) foreign exchange contracts;
  - (e) securities;

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- (f) debentures, stocks or bonds issued by a government;
  - (g) managed investment products; or
  - (h) 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;
    - (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;
    - (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;
    - (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 SFC or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the SFC to disclose to ASIC and ASIC to disclose to the SFC any information or document that the SFC or ASIC has that relates to the body; and
  - (d) written consents to the disclosure by the SFC to ASIC and ASIC to the SFC of any information or document that the SFC 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**

1. The body must provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the HK regulatory requirements if the financial service were provided in Hong Kong in like circumstances.
2. The body must:
  - (a) 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:
    - (i) each significant change to, including the termination of, the licence or registration applying to the body relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (ii) each significant particular exemption or other relief which the body obtains from the HK regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
    - (iii) each action or investigation of the following kinds taken by the SFC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
      - (A) significant enforcement action;
      - (B) significant disciplinary action;
      - (C) 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
  - (b) 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:
    - (i) the body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
    - (ii) the body is regulated by the SFC under Hong Kong laws, which differ from Australian laws; and
  - (c) 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.

24-0572

**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 subsection 659B(1) of the Act;

*ASIC Act* means the *Australian Securities and Investments Commission Act 2001*;

*authorised financial institution* has the meaning given in Schedule 1 to the SFO;

*certificate of registration* means the certificate of registration granted to authorised financial institutions under section 119 of the SFO;

*dealing* in a financial product has the meaning given by section 9 of the Act;

*derivative* has the meaning given by section 9 of the Act;

*financial product* has the meaning given by section 9 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;

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

*HK 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 SFC;

*licence* means a licence granted under section 116 of the SFO or deemed to be granted under sections 22 or 25(b) of Schedule 10 to the SFO;

*managed investment products* has the meaning given by section 9 of the Act;

*managed investment scheme* has the meaning given by section 9 of the Act;

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

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

*registration* means registration granted under section 119 of the SFO or deemed to be granted under sections 25(a) or 32 of Schedule 10 to the SFO;

*securities* has the meaning given by section 9 of the Act;

**24-0572**

*SFC* means the Securities and Futures Commission of Hong Kong;  
*SFO* means the *Securities and Futures Ordinance 2002* of Hong Kong; and  
*wholesale client* has the meaning given in section 761G of the Act.

Dated this 5th day of July 2024



Signed by Michael Stucken  
as a delegate of the Australian Securities and Investments Commission

24-0581

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 15 July 2024.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****IN THE MATTER OF ALEKSANDRA FRIZZELL****Banning order under sections 920A and 920B****of the *Corporations Act 2001***

To: Ms Aleksandra Frizzell

Take notice that under sections 920A and 920B of the *Corporations Act 2001* the Australian Securities and Investments Commission prohibits Aleksandra Frizzell permanently, from:

- (a) providing any financial services; and
- (b) controlling, whether alone or in concert with one or more other entities, an entity that carries on a financial services business; and
- (c) 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 9<sup>th</sup> day of July 2024.

Signed:



Myra Poon  
Delegate of the Australian Securities  
and Investments Commission

Your attention is drawn to section 920C(2) of the *Corporations Act 2001* which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. Contravention of section 920C(2) is an offence.

24-0590

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 10 July 2024.

**Australian Securities and Investments Commission**

**Notice of cancellation of Australian financial services licence**

To: Arelean Pty Ltd  
ACN 159 826 114

**TAKE NOTICE** that under s915C(1) of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 460754 held by Arelean Pty Ltd ACN 159 826 114.

Dated this 9<sup>th</sup> day of July 2024.



Signed .....

Cameron Walter  
Delegate of the Australian Securities and Investments Commission

24-0600

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraphs 951B(1)(a) — Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 951B(1)(a) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 24-0600.

**Commencement**

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

**Exemption**

4. Redgum Wealth Group Pty Ltd ACN 108 781 040 (*the providing entity*) does not have to comply with section 946A of the Act in relation to the provision of personal advice (*the further advice*), on behalf of the providing entity, by Mr Kurt Francis Smyth (*the adviser*) to a person (*the existing client*) where all the following are satisfied:
  - (a) the existing client was previously a client of the adviser when the adviser provided advice to the existing client in their capacity as an authorised representative of SIRA Group Pty Ltd ACN 106 922 641 (*SIRA*);
  - (b) the adviser provides the further advice to the existing client in circumstances where:
    - (i) the adviser had previously given the existing client a Statement of Advice that sets out the existing client's relevant personal circumstances in relation to the advice (*the previous advice*) set out in that Statement of Advice;
    - (ii) the existing client's relevant personal circumstances in relation to the further advice (determined having regard to the existing client's objectives, financial situation and needs as currently known to the adviser) are not significantly different from the existing client's relevant personal circumstances in relation to the previous advice; and
    - (iii) so far as the basis on which the advice is given relates to other matters – the basis on which the further advice is given is not significantly different from the basis on which the previous advice was given; and
  - (c) had the adviser remained an authorised representative of SIRA, the adviser would have been able to rely on section 946B of the Act as notionally substituted by

24-0600

regulation 7.7.10AE of the *Corporations Regulations 2001* in respect of the further advice; and

- (d) the providing entity keeps a record of the further advice in accordance with regulation 7.7.09 of the *Corporations Regulations 2001*.

Dated this 17<sup>th</sup> day of July 2024



Signed by Kelly Fung  
as a delegate of the Australian Securities and Investments Commission

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 nineteenth day of July 2024

**Name of Scheme**

**ARSN**

HAMILTON ROAD RESIDENTIAL DEVELOPMENT FUND

603 956 887



CORPORATIONS ACT 2001  
Subsection 601CC(4)

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

Dated this nineteenth day of July 2024

**Name of Company**

**ARBN**

AUSTRALIAN GRAIN HARVESTERS ASSOCIATION INCORPORATED

078 529 307

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 nineteenth day of July 2024

**Name of Company**

**ARBN**

AIOI NISSAY DOWA INSURANCE COMPANY LIMITED

096 302 466

HKS ARCHITECTS LIMITED

601 255 074

THE FOOD PEOPLE LIMITED

605 006 068

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.

**COPPERX LTD** ACN 663 712 829 will change to a proprietary company limited by shares. The new name will be COPPERX PTY LTD ACN 663 712 829.

**CREDIT SUISSE (AUSTRALIA) LIMITED** ACN 007 016 300 will change to a proprietary company limited by shares. The new name will be CREDIT SUISSE (AUSTRALIA) PTY LIMITED ACN 007 016 300.

**FURNEAUX EQUITY LIMITED** ACN 124 464 366 will change to a proprietary company limited by shares. The new name will be FURNEAUX EQUITY PTY LTD ACN 124 464 366.

**NEWCREST OPERATIONS LIMITED** ACN 009 221 505 will change to a proprietary company limited by shares. The new name will be NEWMONT NOL PTY LIMITED ACN 009 221 505.

**SUBSEA INVESTMENTS LIMITED** ACN 670 003 433 will change to a proprietary company limited by shares. The new name will be SUBSEA INVESTMENTS PTY LIMITED ACN 670 003 433.

**COVESTA LIMITED** ACN 612 165 572 will change to a proprietary company limited by shares. The new name will be COVESTA PTY LTD ACN 612 165 572.

**CREDIT SUISSE HOLDINGS (AUSTRALIA) LIMITED** ACN 008 496 713 will change to a proprietary company limited by shares. The new name will be CREDIT SUISSE HOLDINGS (AUSTRALIA) PTY LIMITED ACN 008 496 713.

**HELLYER METALS LTD** ACN 662 575 073 will change to a proprietary company limited by shares. The new name will be HELLYER METALS PTY LTD ACN 662 575 073.

**PROBIOTEC LIMITED** ACN 075 170 151 will change to a proprietary company limited by shares. The new name will be PROBIOTEC PTY LTD ACN 075 170 151.

**WESFARMERS ENERGY (INDUSTRIAL GAS) PTY LTD** ACN 102 943 626 will change to a public company limited by shares. The new name will be AUSTRALIAN LIGHT ENERGY LIMITED ACN 102 943 626.