



**ASIC**  
Australian Securities &  
Investments Commission

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# ASIC Gazette

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### RIGHTS OF REVIEW

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23-0635

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

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

TO: PHOENIX CAPITAL ADVISORY PTY. LTD.  
ACN: 135 790 877 ("the Licensee")  
Unit 11, 60-62 Clarence Street  
Sydney NSW 2000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 340510 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 3 August 2023

Signed



Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0643



**Australian Market Licence (Refinitiv US SEF LLC) 2023**

*Corporations Act 2001*

---

I, Nathan Bourne, Senior Executive Leader, Australian Securities and Investments Commission grant this Licence under subsection 795B(2) of the *Corporations Act 2001* (the Act) and impose conditions on this Licence under subsection 796A(1) of the Act.

15 August 2023

Dated .....



Signed .....

as a delegate of the Minister under section 1101J of the Act

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**1. Name**

This is the *Australian Market Licence (Refinitiv US SEF LLC) 2023*.

**2. Commencement**

This Licence commences when it is granted.

**3. Definitions**

*Act* means the *Corporations Act 2001*.

*Australian client* means, in relation to a participant in the Market, a person in this jurisdiction on whose behalf the participant deals on the Market.

*Australian participant* means:

- (a) an Australian entity that is a participant in the Market;
- (b) a foreign branch or office of an Australian entity where:
  - (i) the foreign branch or office of the Australian entity is a participant in the Market; or
  - (ii) the Australian entity is a participant in the Market.
- (c) an Australian branch or office of a foreign entity where:
  - (i) the Australian branch or office of the foreign entity is a participant in the Market; or
  - (ii) the foreign entity is a participant in the Market.

*foreign participant* means a participant in the Market who is not an Australian participant.

*Licensee* means Refinitiv US SEF LLC ARBN 664 459 410.

*Market* means the financial market the Licensee is authorised to operate under this Licence.

*reporting period* means each period of 3 months, or part thereof, during which the Market is operated in Australia, ending on 31 March, 30 June, 30 September, or 31 December.

*Note: the following terms are defined in the Act:*

- (a) *ASIC*;
- (b) *clearing and settlement facility*;
- (c) *deal*;
- (d) *derivative*;
- (e) *financial market*;

- (f) *participant*;
- (g) *professional investor*.

#### **4. Grant of Licence**

- (1) The Licensee is granted a licence to operate a financial market through which participants may make or accept offers to acquire or dispose of derivatives.

#### **5. Participants**

- (1) It is a condition of this Licence that the Licensee must ensure that each Australian participant:
  - (a) is a professional investor, or is a branch or office of an entity that is a professional investor; and
  - (b) only deals on the Market on their own behalf or on behalf of a person who is a professional investor.

#### **6. Clearing and settlement arrangements**

- (1) It is a condition of this Licence that the Licensee must:
    - (a) clearly inform participants of the Market of their respective responsibilities in relation to the clearing and/or settlement of trades entered into on the Market; and
    - (b) have in place adequate arrangements to facilitate the efficient clearing and/or settlement of trades entered into on the Market, which must be arrangements of one or more of the following types:
      - (i) arrangements for the clearing and settlement of the trades with a clearing and settlement facility; or
      - (ii) arrangements to:
        - a. notify each party to a trade entered into on the Market of the identity of the other party to the trade; or
        - b. otherwise be satisfied that each party to a trade entered into on the Market knows the identity of the other party to the trade,
- so that the parties to the trade can settle the trade in accordance with arrangements agreed between them.

#### **7. Periodic trade reporting**

- (1) It is a condition of this Licence that the Licensee must give to ASIC, in a machine-readable format, at least the following information within 30 days after the end of each reporting period, for each of the products specified in the following table:

Category	Products
Commodity derivatives	Agricultural derivatives, Energy derivatives, Metals derivatives, Index derivatives, Environmental derivatives, Freight derivatives, Multi Commodity derivatives
Credit derivatives	Index derivatives, Index Tranche derivatives, Single Name derivatives, Swaptions, Total Return Swap, Total Return Swap Index, Exotic derivatives
Equity derivatives	Swap, Portfolio Swap, Contract for Difference, Option, Forward, Other derivatives
Foreign exchange derivatives	Swap, Forward, Vanilla Option, NDF, NDO, Continuous FX, Simple Exotic, Exotic, Complex Exotic
Interest rate and inflation derivatives	FRA, Interest Rate Swap, Cross Currency, Inflation Swap, Forward Debt, CapFloor, Swaption, Debt Option, Inflation CapFloor, Exotic

- (a) the total number of trades and their total value, in AUD-equivalent terms, of trades during the reporting period by all participants; and
- (b) the total number of trades and their total value, in AUD-equivalent terms, of trades during the reporting period by each Australian participant, identifying each Australian participant by their registered name and, if applicable, their branch name and, if available, their Legal Entity Identifier; and
- (c) the total number of trades and their total value, in AUD-equivalent terms, of trades during the reporting period by each foreign participant but only in relation to the trades that the Licensee believes to be trades on behalf of one or more Australian clients, identifying each foreign participant by their registered name and, if applicable, their branch name and, if available, their Legal Entity Identifier; and
- (d) the total number of trades and their total value, in AUD-equivalent terms, of the trades that are included in the information in (b) and (c) above and which are trades between any two participants listed in (b) and (c) above.

## 8. Market ceases to operate

- (1) It is a condition of this Licence where the Licensee intends to cease operating the Market in this jurisdiction, the Licensee must:
  - (a) establish, document and implement adequate arrangements for ensuring, as applicable, the orderly cessation of the Market;
  - (b) notify ASIC:
    - (i) that the Licensee intends to cease operating the Market in this jurisdiction, as soon as reasonably practicable;

- (ii) of the arrangements referred to in paragraph (a), as soon as reasonably practicable before ceasing to operate the Market in this jurisdiction; and
- (iii) of any changes to the arrangements referred to in paragraph (a) following the notification in subparagraph (ii), as soon as reasonably practicable after making those changes.

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

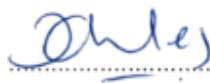
**Notice of Cancellation of an Australian Financial Services Licence**

TO: Toka Accounts and Business Advisors Pty Limited  
ACN 141 801 292 ("the Licensee")  
Level 1, 1 Coronation Avenue  
Pottsville NSW 2489

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 484891 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 15 August 2023

Signed



Jedo Charles  
A delegate of the Australian Securities and Investments Commission



23-0655

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 601QA(1)(b) – Declaration**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 23-0655.

**Commencement**

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

**Declaration**

4. Chapter 5C of the Act applies to MSC Australia Limited ACN 002 123 364 (the *responsible entity*) in its capacity as the responsible entity of:

1	SGH Australian Small Companies Fund	095 866 872
2	SGH Ex-20 Australian Equities Fund	088 905 426
3	abrnd Sustainable Asian Opportunities Fund listed class: abrnd Sustainable Asian Opportunities Active ETF (Managed Fund)	106 201 236
4	abrnd Sustainable Emerging Opportunities Fund	109 536 503
5	abrnd Global Risk Mitigation Fund	109 536 414
6	abrnd International Equity Fund	089 488 139
7	abrnd Multi-Asset Real Return Fund	088 905 471
8	abrnd Sustainable International Equities Fund	088 905 033
9	abrnd Multi-Asset Income Fund	088 906 585
10	abrnd Global Corporate Bond Fund	125 896 184

together (the *Schemes*) as if section 601FL of the Act were modified or varied as follows:

- (a) in subsection (1) omitting all the text after the word “it”, substitute:

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" must either:

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

(b) after subsection (1), insert:

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

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

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- who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a), ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity with 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and
- (iii) be accompanied by a form which can be ticked to ask for a vote; and
  - (iv) state prominently a reply paid address of the responsible entity to which the form may be sent.
- (c) The responsible entity must prominently disclose on its website current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur.
- (d) If sufficient members ask for a vote in accordance with the notice, the responsible entity must arrange for a postal vote or, if the responsible chooses, convene a meeting in accordance with Part 2G.4 to vote on the choice of the proposed responsible entity as soon as possible.
- (e) If there is a postal vote:
- (i) a voting paper must be sent to each member stating a reply paid address of the responsible entity to which the voting paper may be sent; and
  - (ii) the responsible entity must notify the members in, or in a document accompanying, the voting paper that:
    - (A) the proposed responsible entity will be chosen as the new responsible entity if at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the choice; and
    - (B) only votes received by the responsible entity within 28 days after the issue of the voting paper will be counted.

23-0655

- (f) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed.”;

(c) after subsection (2) insert:

“(2A) If a postal vote is arranged under paragraph (1A)(d) and at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the proposed responsible entity, that entity is taken for the purposes of subsection (2) to have been chosen by a resolution of members on the last day on which postal votes may be received in order to be counted.

(2B) If:

- (a) a related body corporate is proposed to be the new responsible entity in accordance with subsection (1A); and
- (b) sufficient members do not ask for a vote to choose the responsible entity in accordance with the notice referred to in paragraph (1A)(b); and
- (c) the proposed responsible entity has consented in writing to becoming the scheme’s responsible entity,

then:

- (d) as soon as practicable and in any event within 2 business days after the end of the period in which a member may ask for such a vote, the current responsible entity must lodge a notice with ASIC asking it to alter the record of the scheme’s registration to name the proposed responsible entity as the scheme’s responsible entity; and
- (e) the notice must be accompanied by a certificate from the current responsible entity that it reasonably considers that the appointment of the proposed responsible entity would be in the best interests of members with a summary of the responsible entity’s reasons as to why this is the case; and
- (f) unless ASIC reasonably believes that the appointment of the proposed responsible entity would not be in the best interests of members, ASIC must comply with the notice as soon as practicable after the notice and summary are lodged.”

23-0655

**Where this declaration applies**

5. This declaration applies where Melbourne Securities Corporation Limited ACN 160 326 545 has agreed in writing to become the new responsible entity of the Schemes.

**When this declaration ceases to apply**

6. This declaration ceases to apply on 31 December 2023.

Dated this 17<sup>th</sup> day of August 2023



Signed by Valerie Baring  
as a delegate of the Australian Securities and Investments Commission

23-0657



## Australian Market Licence (SwapEx, LLC) Cancellation Notice 2023

*Corporations Act 2001*

---

I, Nathan Bourne, Senior Executive Leader, Australian Securities and Investments  
Commission make this Notice under section 797B of the *Corporations Act 2001* (the Act).

16 August 2023

Dated .....

A handwritten signature in black ink, appearing to be "N. Bourne", written over a horizontal line.

Signed .....

as a delegate of the Minister under section 1101J of the Act

---

**1. Name**

This is the *Australian Market Licence (SwapEx, LLC) Cancellation Notice 2023*.

**2. Commencement**

This instrument commences on the date of execution.

**3. Cancellation of Australian Market Licence**

The *Australian Market Licence (SwapEx, LLC) 2019* is cancelled.

23-0658

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 23-0658.

**Commencement**

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

**Declaration**

4. Chapter 6D of the Act applies to a person who holds CHES Depositary Interests (*CDIs*) of the Company, as if section 707 were modified or varied by omitting subsections 707(3) and (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 or 708A does not say otherwise.”

**Where this instrument applies**

5. This instrument applies where a person who holds CDIs of the Company makes an offer of those CDIs for sale within 12 months of their issue where:
  - (a) the CDIs were issued, or are to be issued, by the Company upon the transmutation of Shares within 12 months of the issue of the Shares, where such Shares were issued, or are to be issued:

## 23-0658

- i. to the investors under the Placements;
  - ii. to holders of Options in the Company, on exercise of the Options and:
    - A. the Options were issued or granted prior to the date of Listing without disclosure under Chapter 6D of the Act; and
    - B. the issue of CDIs upon the transmutation of Shares, and upon the exercise of the Options, did not involve any further offer; and
  - iii. to holders of Warrants in the Company, on exercise of the Warrants and:
    - A. the Warrants were issued prior to Listing without disclosure under Chapter 6D of the Act; and
    - B. the issue of CDIs upon the transmutation of Shares, and following the exercise of the Warrants, did not involve any further offer; and
- (b) a Prospectus in connection with the IPO which describes:
- i. the issue of Shares under the Placements;
  - ii. the Options and Warrants;
  - iii. the transmutation of Shares into CDIs; and
  - iv. the nature and effect of the relief in this instrument,
- was lodged with ASIC before the day on which CDIs or Shares were issued on exercise of Options or on exercise (or as a result of the exercise) of the Warrants.

**Interpretation**

## 6. In this instrument:

- (a) *ASX* means ASX Limited ACN 008 624 691 or the securities exchange operated by ASX Limited.
- (b) *CHESS* means the Clearing House Electronic Subregister System operated by ASX Settlement and Transfer Corporation Pty Ltd ACN 008 504 532.
- (c) *CHESS Depository Interests or CDIs*, in relation to Shares of the Company, mean units of beneficial ownership in Shares, that are issued for the purpose of enabling the Shares to be recorded and transferred in accordance with the operating rules of ASX Settlement Pty Limited.
- (d) *Company* means Novo Resources Corp. ARBN 664 390 827, a company incorporated in the Province of British Columbia in Canada.



23-0658

- (e) *Listing* means the admission of the Company to the official list of the ASX.
- (f) *IPO* means the proposed initial public offering of CDIs in the Company.
- (g) *Options* means options issued under equity incentive plans of the Company;
- (h) *Placements* means:
  - i. the placement of 12,820,512 Shares to an investor on or around 22 December 2022; and
  - ii. the placement of 35,223,670 Shares to an investor on or around 28 June 2023,the terms of each of which are described in the Prospectus.
- (i) *Prospectus* means a prospectus in relation to an IPO of CDIs in the Company, lodged with ASIC on or around 2 August 2023.
- (j) *Shares* means common shares in the Company.
- (k) *Warrants* means warrants issued over Shares issued by the Company which are immediately exchangeable into Shares issued by the Company, the terms of which are described in the Prospectus.

Dated this 14<sup>th</sup> day of August 2023



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

23-0663

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

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

TO: Wizer Capital Ltd  
ACN 111 640 610 ("the Licensee")  
Suite 7 2-4 Northumberland Road  
Caringbah NSW 2229

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 283073 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 15 August 2023

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0667

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 23-0667.

**Commencement**

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

**Exemption**

4. Novartis and Sandoz do not have to comply with Parts 6D.2 and 6D.3 of the Act.

**Declaration**

5. Chapter 6D of the Act applies to shareholders of Sandoz as if section 707 were modified or varied by omitting subsections 707(3) and (4).

**Where this instrument applies**

6. The exemption in paragraph 4 applies to offers of securities in Sandoz made by Novartis inviting its shareholders to vote at a general meeting on a capital reduction of Novartis and an in-specie distribution of ordinary shares in Sandoz to the shareholders of Novartis (*Spin-Off Proposal*), in accordance with an invitation, information brochure and Listing Prospectus (which will be made available publicly, including by publication on Novartis' and Sandoz's website) where:
  - (a) the invitation, information brochure and Listing Prospectus are in substantially the same form as the draft invitation, information brochure and Listing Prospectus given to ASIC on 15 August 2023; and
  - (b) the information brochure and Listing Prospectus include a statement:
    - (i) describing the need for, and effect of, the relief contained in this instrument as it applies to shareholders; and

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- (ii) that the invitation, information brochure and Listing Prospectus are in substantially the same form as the draft invitation, information brochure and Listing Prospectus given to ASIC on 15 August 2023.
- 7. The declaration in paragraph 5 applies to offers for sale of ordinary shares in Sandoz (*Sandoz Shares*) where:
  - (a) the Sandoz Shares were transferred to the shareholder pursuant to the Spin-Off Proposal;
  - (b) the shareholder offers the Sandoz Shares for sale within 12 months of the transfer of the Sandoz Shares to the shareholder pursuant to the Spin-Off Proposal (*On-sale Offer*); and
  - (c) the On-sale Offer is not made within 12 months of a sale or transfer of the Sandoz Shares by a person, other than Novartis, who:
    - (i) controls Sandoz;
    - (ii) would have been required by subsection 707(2) of the Act to give disclosure to investors under Part 6D.2 of the Act but for section 708 or 708A of the Act; and
    - (iii) did not give disclosure to investors under Part 6D.2 of the Act because of section 708 or 708A of the Act.

#### Interpretation

8. In this instrument:

**Listing Prospectus** means the listing prospectus required for the admission to trading and the listing of the Sandoz Shares on the SIX Swiss Exchange approved by SIX Exchange Regulation, expected to be dated on or around 18 August 2023.

**Novartis** means Novartis AG, a corporation registered in Switzerland under company number CHE-103.867.266.

**Sandoz** means Sandoz Group AG, a corporation registered in Switzerland under company number CHE-433.164.136.

Dated 17 August 2023



Signed by Daniel Slupek  
as a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001  
Subsection 601PB(2)

ASIC may deregister the managed investment schemes listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this eighteenth day of August 2023

**Name of Scheme**

**ARSN**

WALKER CAPITAL AUSTRALIA ALTERNATIVE FUND

646 309 631

CORPORATIONS ACT 2001  
Section 601CC(3)

ASIC will strike the companies listed below off the register three months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this eighteenth day of August 2023

**Name of Company**

**ARBN**

PLAYGROUP ASSOCIATION OF QUEENSLAND INCORPORATED

140 829 232

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 eighteenth day of August 2023

**Name of Company**

**ARBN**

ROO PROPERTY INVESTMENTS LLC	113 477 035
SCCL AUSTRALIA LIMITED	084 509 366
SHADWELL STUD AUSTRALASIA LIMITED	079 186 502
VARDE PARTNERS AUSTRALIA LLC	606 375 044

CORPORATIONS ACT 2001  
Subsection 601CC(4)

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

Dated this eighteenth day of August 2023

**Name of Company**

**ARBN**

ENVIRONMENT & COMMUNITIES SAFE FROM RADIATION  
INCORPORATED

629 355 924



CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this eighteenth day of August 2023

**Name of Company**

**ARBN**

AEW ASIA LIMITED

618 301 456

FUJIFILM BUSINESS INNOVATION ASIA PACIFIC PTE. LTD.

103 964 629

NISHIO RENT ALL CO., LTD.

614 014 701

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.

**MERCANTILE INVESTMENT COMPANY LTD**

ACN 121 415 576 will change to a proprietary company limited by shares. The new name will be MERCANTILE INVESTMENT COMPANY PTY LTD ACN 121 415 576.