



**ASIC**  
Australian Securities &  
Investments Commission

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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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### **Australian Market Licence (PO Capital Markets Pty Limited) 2023**

*Corporations Act 2001*

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I, Calissa Aldridge, Australian Securities and Investments Commission grant this Licence under subsection 795B(1) of the *Corporations Act 2001* (the Act) and impose conditions on this Licence under subsection 796A(1) of the Act.

Dated 11 May 2023

A handwritten signature in black ink, appearing to read 'Calissa Aldridge'.

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 (PO Capital Markets Pty Limited) 2023*.

*Note: This instrument should be read in conjunction with the Corporations (PO Capital Markets Pty Limited) Exemption Notice 2023.*

**2. Commencement**

This Licence commences when it is granted.

**3. Definitions**

*Act* means the *Corporations Act 2001*.

*Australian ADI* means an Australian Entity that is an Australian ADI within the meaning of section 9 of the Act.

*Australian Entity* means an entity (including a corporation, partnership, managed investment scheme or trust) that is incorporated or formed in this jurisdiction.

*Foreign ADI* has the meaning given by section 5 of the *Banking Act 1959*.

*Legal Entity Identifier* means a legal entity identifier code in the format and structure specified in ISO 17442.

*Licensee* means PO Capital Markets Pty Limited ACN 642 321 891.

*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) debenture;
- (e) derivative;
- (f) financial market;
- (g) financial product;
- (h) financial service;
- (i) financial services licensee;
- (j) participant.

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

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 that are interest rate derivatives.

#### **5. Participants**

- (1) It is a condition of this Licence that the Licensee must ensure that each participant:
  - (a) is an Australian ADI or a Foreign ADI; and
  - (b) only deals on the Market on their own behalf or on behalf of an Australian ADI or a Foreign ADI.

#### **6. Information about the operation of the Market**

It is a condition of this Licence that the Licensee must at all times make available to participants information, including updated information, about the operation of the Market.

#### **7. 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 by 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.

## 8. Operating rules

It is a condition of this Licence that the Licensee must notify ASIC of the details of any proposed changes to its operating rules, within a reasonable period before implementing any such changes.

## 9. Quarterly Notifications

- (1) It is a condition of this Licence that the Licensee must notify ASIC of the details of the following matters, within 30 days after the end of each reporting period:
  - (a) details of any kind of disciplinary action taken by the Licensee against a participant including the participant's name and the reason for and nature of the action taken;
  - (b) if the Licensee became aware of:
    - (i) a matter that the Licensee considers has adversely affected, is adversely affecting, or may adversely affect the ability of a participant, who is a financial services licensee, to meet the participant's obligations as a financial services licensee; or
    - (ii) a matter, concerning a participant who is a financial services licensee, that is of a kind prescribed under Regulation 7.2.01 of the Corporations Regulations 2001;
  - (c) if the Licensee became aware that a person had come to have, or had ceased to have, more than 15% of the voting power in or in a holding company of the Licensee; and
  - (d) if a person became or ceased to be a director, secretary or senior manager of the Licensee or of a holding company of the Licensee (including when a person changes from one of those positions to another).

**10. 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 column 2 of the following table:

Category	Products known as
Interest rate derivatives	FRA, Interest Rate Swap, Cross Currency, Forward Debt, CapFloor, Swaption, Debt Option, 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 participant, identifying each participant by their registered name and, if applicable, their branch name and, if available, their Legal Entity Identifier.
- (2) It is a condition of this Licence that, during the first 12 months that the Licensee operates the Market, the Licensee must give to ASIC, in a machine-readable format, the information set out in 10(1) above within 5 business days after the end of each month.

**11. Annual report**

It is a condition of this Licence that the Licensee must include in its annual report to ASIC under section 792F of the Act, details of any new class of financial services provided by the Licensee that is incidental to the operation of the Market.

**12. Record keeping**

- (1) It is a condition of this Licence that the Licensee must have adequate arrangements in place for the recording of order information and trades entered into through the Market.
- (2) It is a condition of this Licence that the Licensee must keep for a period of at least 7 years the records of order information and trades entered into through the Market.

**13. Market ceases to operate**

- (1) It is a condition of this Licence that, 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), at least 4 weeks 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.



## Corporations (PO Capital Markets Pty Limited) Exemption Notice 2023

*Corporations Act 2001*

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I, Calissa Aldridge, Australian Securities and Investments Commission make this notice under subsection 791C(1) of the *Corporations Act 2001* (the Act).

Dated 11 May 2023

A handwritten signature in black ink, appearing to read 'Calissa Aldridge'.

Signed

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

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**1. Name**

This is the *Corporations (PO Capital Markets Pty Limited) Exemption Notice 2023*.

*Note:* This instrument should be read in conjunction with the *Australian Market Licence (PO Capital Markets Pty Limited) 2023*.

**2. Authority**

This instrument is made under subsection 791C(1) of the *Corporations Act 2001*.

**3. Commencement**

(1) This instrument commences on the later of:

- (a) the time that is immediately after the commencement of the *Australian Market Licence (PO Capital Markets Pty Limited) 2023*; and
- (b) the date of execution.

**4. Definitions**

In this instrument unless the contrary intention appears, terms defined in the Act have the same meaning in this instrument and:

*Act* means the *Corporations Act 2001*.

*Corporations Regulations* means the *Corporations Regulations 2001*.

*Licensee* means PO Capital Markets Pty Limited ACN 642 321 891.

*Market* means the financial market operated by the Licensee under the *Australian Market Licence (PO Capital Markets Pty Limited) 2023*.

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

- (a) ASIC;
- (b) deal;
- (c) financial market;
- (d) financial service;
- (e) financial services licensee;
- (f) participant.

**5. Exemption - Notifications to ASIC**

- (1) The Licensee does not have to comply with any of the following provisions of the Act in relation to the Market:
- (a) paragraph 792B(2)(a) – relating to notifying ASIC of a new class of financial service incidental to the operation of the Market;
  - (b) paragraph 792B(2)(b) – relating to notifying ASIC of disciplinary action taken against a participant;
  - (c) paragraph 792B(3)(a) – relating to notifying ASIC of a matter that has (or may) adversely affect the ability of a participant, who is a financial services licensee, to meet the participant's obligations as a financial services licensee;
  - (d) paragraph 792B(3)(b) – relating to notifying ASIC of a matter concerning a participant who is a financial services licensee, of a kind prescribed by the regulations made for the purposes of paragraph 792B(3)(b);  
Note: See Corporations Regulation 7.2.01 for the matters prescribed for the purposes of paragraph 792B(3)(b).
  - (e) paragraph 792B(5)(a) – relating to notifying ASIC of a person becoming or ceasing to be a director, secretary or senior manager of the Licensee or of a holding company of the Licensee; and
  - (f) paragraph 792B(5)(b) – relating to notifying of voting power of more than 15% in the Licensee or in a holding company of the Licensee.

#### 6. Exemption - Changing the operating rules

The Licensee does not have to comply with section 793D of the Act in relation to changes to the operating rules of the Market.

#### 7. Exemption - Content of operating rules

- (1) The Licensee does not have to comply with any of the following in relation to the Market:
- (a) Corporations Regulation 7.2.07(b)(ii) – relating to operating rules for the monitoring of participants' compliance with the operating rules;
  - (b) Corporations Regulation 7.2.07(b)(v) – relating to operating rules for the expulsion or suspension of a participant for breaches of Chapter 7 of the Act or regulations made under that Chapter;
  - (c) Corporations Regulation 7.2.07(b)(vii) – relating to operating rules for the expulsion or suspension of, or enforcement action against, a participant for failing to meet obligations under commitments entered into on the market;
  - (d) Corporations Regulation 7.2.07(f) – relating to operating rules dealing with the terms of the contract formed between participants;
  - (e) Corporations Regulation 7.2.07(h) – relating to operating rules to deal with mechanisms for settling market-related disputes between participants; and

(f) Corporations Regulation 7.2.07(i) – relating to operating rules to deal with assessment and investigation of market-related disputes between participants.

(2) The Licensee is exempt from the requirement to have market operating rules that comply with paragraph 798DA(2) of the Act.

**8. Exemption - Content of written procedures**

The Licensee does not have to comply with Corporations Regulation 7.2.08 relating to written procedures for the Market for the matters specified under the regulation.

23-0285

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

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

TO: Australian Insurance Solutions Pty Ltd  
ACN: 088 550 074 ("the Licensee")  
Level 4, 97 – 99 Bathurst 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 246939 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 9 May 2023

Signed *George Podaras* .....

A delegate of the Australian Securities and Investments Commission

23-0304

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

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

TO: Automotive Financial Services Pty Limited  
ACN 003 622 375 ("the Licensee")  
310 Ann Street  
Brisbane QLD 4000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 383762 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 8 May 2023

Signed



.....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0320

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

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

TO: Spectrum Asset Management Limited  
ACN 096 442 198 ("the Licensee")  
Unit 3, 2-6 Chaplin Drive  
Lane Cove NSW 2066

Pursuant to paragraph to s915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 225069 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 9 May 2023

Signed *George Podaras*  
.....

George Podaras  
A delegate of the Australian Securities and Investments Commission

23-0339

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

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

TO: Evidentia Group Pty Ltd  
ACN: 626 048 520 ("the Licensee")  
Tower Three International Towers Sydney  
300 Barangaroo Avenue  
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 511802 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 8 May 2023

Signed *George Podaras* .....

George Podaras  
A delegate of the Australian Securities and Investments Commission

23-0351

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

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

TO: HCG Wealth Pty Limited  
ACN 611 436 438 ("the Licensee")  
PO Box 1355  
CHATSWOOD NSW 2057

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 486456 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 8 May 2023

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission



23-0352

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

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

TO: Robert Leslie Finnigan  
ABN 57 721 856 130 ("the Licensee")  
Suite 20, Level 4, 1 Mona Vale Road  
Mona Vale NSW 2103

Pursuant to paragraph 915B(1)(e) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 487770 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 11 May 2023

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0353

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

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

TO: Aspiri Financial Services Pty Ltd  
ACN 090 764 444 ("the Licensee")  
Level 2, 76 Skyring Terrace  
Newstead QLD 4006

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 384486 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 11 May 2023

Signed



.....

Jedo Charles  
A delegate of the Australian Securities and Investments Commission

23-0355

**Australian Securities and Investments Commission  
Corporations Act 2001 - Paragraph 601QA(1)(a) - Exemption**

**Enabling Legislation**

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

**Title**

2. This instrument is ASIC instrument 23-0355.

**Commencement**

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

**Exemption**

4. Betashares Capital Ltd ACN 139 566 868 (*Responsible Entity*) in its capacity as the responsible entity for the Betashares Australian Cash Plus Fund ARSN 657 340 791 (*Scheme*) does not have to comply with paragraph 601FC(1)(d) of the Act in respect of the class of interests in the Scheme, being the Betashares Australian Cash Plus Fund (*fund*) that is an AQUA managed fund, to the extent that it would prevent the Responsible Entity from permitting only authorised participants to withdraw from the Scheme.

**Where the exemption applies**

5. The exemption in paragraph 4 applies where all of the following are satisfied:
  - (a) there is a Product Disclosure Statement in relation to interests in relation to the fund that are admitted to Trading Status as a Managed Fund Product that includes statements to the effect that:
    - (i) the Responsible Entity will not treat members who hold interests of the same class equally to the extent that it restricts withdrawal from the Scheme in relation to the fund to authorised participants; and
    - (ii) except in exceptional circumstances only authorised participants may withdraw from the Scheme in relation to the fund, but other members may sell their interests on the AQUA market; and
    - (iii) when interests in the Scheme in relation to the fund are suspended from trading on the AQUA market for more than 5 consecutive Trading Days, members have a right to withdraw from the Scheme

## 23-0355

and receive payment for their interests in money within a reasonable time of request unless any of the following apply:

- (A) the Scheme is being wound up;
  - (B) the Scheme is not liquid as defined in subsection 601KA(4) of the Act;
  - (C) the Responsible Entity suspends withdrawals in accordance with the constitution;
- (b) the constitution of the Scheme does not permit a withdrawal fee per interest in the Scheme to be payable by a member who is not an authorised participant that is greater than the withdrawal fee per interest that would generally be payable by an authorised participant receiving redemption proceeds in cash while interests in the Scheme in relation to the fund are quoted when withdrawing the minimum parcel; and
- (c) ASIC has not notified the Responsible Entity in writing that it is excluded from reliance on the exemption.

Note: Subparagraph 5(b) applies regardless of whether the withdrawal fees for the Scheme are calculated on a per interest basis or otherwise.

**Conditions**

6. The Responsible Entity must take reasonable steps to ensure that the following information is publicly available during each Trading Day on the Responsible Entity's website:
- (a) full particulars of the composition of the Scheme's portfolio of securities and cash, that are attributable to the fund; and
  - (b) the net asset value per interest in the Scheme in relation to the fund, or where there is more than one class of interests in the Scheme that are quoted, the net asset value per interest for each class of interests in the Scheme that is quoted.

**Interpretation**

In this instrument:

**AQUA managed fund** means a registered scheme with interests admitted to Trading Status as a Managed Fund Product on the financial market operated by ASX under the provisions of the operating rules of ASX relating to what is referred to in those rules as the AQUA market.

**ASX** means ASX Limited ACN 008 624 691.

**Australian resident for tax purposes** means, for a particular financial year, a person who is an Australian resident for the purposes of the *Income Tax Assessment Act 1997* for the whole of that financial year.

23-0355

**authorised participant** means, in relation to the fund, a person who:

- (a) has an agreement with the Responsible Entity in relation to making applications to acquire and withdraw interests in the Scheme in relation to the fund; and
- (b) has notified the Responsible Entity in writing that the person expects they will be an Australian resident for tax purposes for the financial year of the Scheme in which the notification is made and for each subsequent financial year, and has not subsequently notified the Responsible Entity to the contrary; and
- (c) is either a Trading Participant or has engaged a Trading Participant to act on its behalf to acquire and dispose of interests in the Scheme in relation to the fund.

**Managed Fund Product** has the same meaning as in the operating rules of ASX as at the date of this instrument.

**minimum parcel** means the smallest number or value of interests in an AQUA managed fund that are generally permitted to be withdrawn from the AQUA managed fund by an authorised participant while interests in the AQUA managed fund are quoted

**net asset value per interest** means:

- (a) for the Scheme, the total assets of the Scheme less the total liabilities of the Scheme (disregarding any liability to a member of the Scheme as a member), divided by the number of interests in the Scheme; and
- (b) for a class of interests in the Scheme, the total assets attributable to that class of interests less the total liabilities attributable to that class of interests (disregarding any liability to a member of the Scheme as a member), divided by the number of interests in that class.

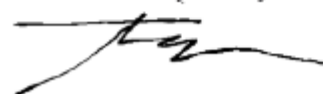
**Trading Day** has the same meaning as in the ASX operating rules as at the date of this instrument.

**Trading Participant** has the same meaning as in the ASX operating rules as at the date of this instrument.

**Trading Status** has the same meaning as in the ASX operating rules as at the date of this instrument.

**withdrawal fee per interest** means, in relation to the Scheme, the fee that is payable in relation to a withdrawal from the Scheme divided by the number of interests in the Scheme to which the withdrawal relates.

Dated this 9<sup>th</sup> day of May 2023



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

23-0363

**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 19 January 2023.

**Australian Securities and Investments Commission**

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

To: Centurion Custodian Funds Management Ltd  
ACN 111 390 259

TAKE NOTICE that under s915B(3A) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 286801 held by Centurion Custodian Funds Management Ltd ACN 111 390 259.

Dated this 18<sup>th</sup> day of January 2023.



Signed .....

Andrew Stecher  
Delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this twelfth day of May 2023

**Name of Company**

**ARBN**

CHEMIPLAS (N.Z.) LIMITED

610 887 851

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 twelfth day of May 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  
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 twelfth day of May 2023

**Name of Company**

**ARBN**

ENVIRONMENT & COMMUNITIES SAFE FROM  
RADIATION INCORPORATED

629 355 924

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.

**AUSTRALIAN CORPORATE BOND COMPANY LIMITED** ACN 169 442 657 will change to a proprietary company limited by shares. The new name will be AUSTRALIAN CORPORATE BOND COMPANY PTY LIMITED ACN 169 442 657.

**IMAGINE INTELLIGENT MATERIALS LIMITED** ACN 169 015 847 will change to a proprietary company limited by shares. The new name will be IMAGINE INTELLIGENT MATERIALS PTY LTD ACN 169 015 847.

**QUEENSLAND COUNTRY HEALTH FUND LTD** ACN 085 048 237 will change to a proprietary company limited by shares. The new name will be QUEENSLAND COUNTRY HEALTH FUND PTY LTD ACN 085 048 237.

**BLACK & WHITE HOLDINGS LIMITED** ACN 081 459 065 will change to a proprietary company limited by shares. The new name will be BLACK & WHITE HOLDINGS PTY LTD ACN 081 459 065.

**JAMES BAY MINERALS PTY LTD** ACN 659 846 901 will change to a public company limited by shares. The new name will be JAMES BAY MINERALS LIMITED ACN 659 846 901.