

Commonwealth of Australia Gazette No. A28/22, Tuesday 12 July 2022

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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 or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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#### 22-0632

#### Australian Securities and Investments Commission Corporations Act 2001 – Subsection 340(1) – Exemption

#### Enabling legislation

 The Australian Securities and Investments Commission (ASIC) makes this instrument under subsection 340(1) of the Corporations Act 2001 (Act).

#### Title

This instrument is ASIC Instrument 22-0632.

#### Commencement

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

#### Order

- Logan Arms Pty Ltd ACN 139 416 863 (Company) does not have to comply with any of the following in relation to the Company's financial reports:
  - (a) subsection 301(1) of the Act;
  - (b) subparagraph 314(1)(a)(iii) of the Act;
  - (c) paragraph 314(1)(b) of the Act to the extent that a concise report required to be given under that paragraph must include:
    - a statement by an auditor referred to in paragraph 314(2)(c) of the Act; or
    - ii. a statement that the auditor's report will be sent to a member free of charge if the member asks for it;
  - (d) subsection 316(2) of the Act to the extent it requires the Company to send a member an auditor's report on its financial report.
- The auditor (if any) of the Company does not have to comply with subsection 314(3) of the Act in relation to the Company's financial report.

#### Where this instrument applies

6. This instrument applies where the Company would be able to rely on the relief in ASIC Corporations (Audit Relief) Instrument 2016/784 (Instrument 2016/784) except for the fact that the Company is unable to satisfy the requirements in paragraph 6(d) of Instrument 2016/784.

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## 22-0632

### Conditions

7. The Company and the auditor of the Company (if any) can only rely on the relief in paragraphs 4 and 5 of this instrument if the Company satisfies all requirements in section 6 (other than the requirements in paragraph 6(d)) and complies with all conditions in section 7 of Instrument 2016/784.

Dated this 4th day of July 2022

Jai

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

#### 22-0635

#### Australian Securities and Investments Commission Corporations Act 2001 – Paragraph 655A(1)(b) – Declaration

#### Enabling legislation

 The Australian Securities and Investments Commission (ASIC) makes this declaration under paragraph 655A(1)(b) of the Corporations Act 2001 (Act).

#### Title

2. This instrument is ASIC Instrument 22-0635.

#### Commencement

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

#### Declaration

- Chapter 6 of the Act applies to Complii FinTech Solutions Ltd ACN 098 238 585 (Bidder) as if Part 6.5 of the Act were modified or varied as follows:
  - (a) at the end of section 648C, add:

"; or

- (c) in accordance with section 648CA.";
- (b) after section 648C, insert:

#### "648CA Deemed manner of sending documents

- A document is deemed to have been sent to a holder of securities in relation to offers under an off-market bid for the purposes of this Chapter where all of the following are satisfied:
  - (a) the holder has nominated an electronic address for the purposes of receiving electronic copies of shareholder communications, including notices of meetings and proxy forms, from the person sending the document;
  - (b) an electronic message is sent to the nominated electronic address of the holder, which contains links to an electronic copy of the document that is in a form that allows text within the copy to be searched by a computer;

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- (c) the person sending the electronic message does not receive a notification to the effect that the electronic message is unable to be delivered to the nominated electronic address; and
- (d) facilities are in place that enable the holder, through an online portal or website that is accessible by the holder, to request that the document is to be sent to the holder by a manner specified in section 648C.
- (2) For the purposes of subsection (1):

document, in relation to an off-market bid, means:

- (a) a bidder's statement;
- (b) offers (within the meaning of section 620);
- (c) a target's statement.".

#### Where this instrument applies

- 5. This instrument applies in relation to the off-market takeover bid (*Bid*) by the Bidder for all of the ordinary shares in Registry Direct Limited ACN 160 181 840 (*Target*) on issue as at 7:00pm AEST on 27 June 2022 which the Bidder does not own, in respect of which a bidder's statement was lodged by the Bidder with ASIC on 20 June 2022 and where by 7:30pm AEST on the date of this declaration, the Bidder has provided to ASX Limited ACN 008 624 691 (*ASX*) for release on the financial market operated by ASX, an announcement:
  - (a) explaining the effect of the declaration;
  - (b) that includes a statement to the effect that Target shareholders may request to be sent hard copies of the documents:
    - (i) if the holder is outside of Australia-by pre-paid airmail post or by courier; or
    - (ii) if the holder is in Australia-by pre-paid ordinary post or by courier,

and a statement that explains how shareholders can make this request; and

(c) includes a statement to the effect that the fact that ASIC has granted this relief in connection with the Bid should not be taken as a reflection of ASIC's views on any other aspect of the Bid.

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22-0635

Dated this 4th day of July 2022

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

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#### 22-0636

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 30 June 2022.

#### Australian Securities and Investments Commission In the matter of Jonathan Schneider Banning order under sections 920A and 920B of the *Corporations Act 2001*

To: Jonathan Schneider

Take notice that under s920A and s920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Jonathan Schneider for a period of eight (8) years from:

- (a) controlling, whether alone or in concert with one or more other entities, an entity that carries on a financial services business; and
- (b) performing any function involved in the carrying on of a financial services business (including as an officer, manager, employee, contractor or in some other capacity).

Dated this 29th day of June 2022.

1. Mat rame C

Signed: Graeme Darcy Plath Delegate of the Australian Securities and Investments Commission

Your attention is drawn to s920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. A contravention of s920C(2) is an offence.

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#### 22-0637

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 1 July 2022.

#### Australian Securities and Investments Commission In the matter of Oskar Pecyna Banning order under sections 920A and 920B of the *Corporations Act 2001*

To: Oskar Pecyna

Take notice that under s920A and s920B of the Corporations Act 2001 the Australian Securities and Investments Commission prohibits Oskar Pecyna for a period of eight (8) years from:

- (a) controlling, whether alone or in concert with one or more other entities, an entity that carries on a financial services business; and
- (b) performing any function involved in the carrying on of a financial services business (including as an officer, manager, employee, contractor or in some other capacity).

Dated this 29th day of June 2022.

D. Matt 6 rame

Signed: Graeme Darcy Plath Delegate of the Australian Securities and Investments Commission

Your attention is drawn to s920C(2) of the Corporations Act 2001 which provides that a person must not engage in conduct which breaches a banning order that has been made against the person. A contravention of s920C(2) is an offence.

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#### 22-0640

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

#### Enabling legislation

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

#### Title

2. This instrument is ASIC Instrument 22-0640

#### Commencement

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

#### Exemptions

4. Irongate Funds Management Limited (ACN 071 514 246) (*Irongate RE*) in its capacity as the responsible entity of Irongate Property Fund I (ARSN 162 067 736) and the Irongate Property Fund II (ARSN 664 081 309) (each, *a Scheme*) does not have to comply with:

(a) Part 5C.4 of the Act; and

(b) Part 5C.5 of the Act, except sections 601JF and 601JG of the Act.

#### Where this instrument applies

- 5. The exemptions in paragraph 4 apply in respect of a Scheme:
  - (a) where all interests in that Scheme are held by wholesale clients; and
  - (b) from when Irongate RE has made an application for deregistration of that Scheme under the Act until ASIC gives notice to Irongate RE of the deregistration of that Scheme under subsection 601PA(4) of the Act.

Dated this 6th of July 2022

chiael.

Signed by Christine Binder as a delegate of the Australian Securities and Investments Commission

22-0642

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

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

TO: Kern Finance Pty Ltd ACN 607 501 655 ("the Licensee") GPO Box 564 Brisbane QLD 4001

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 489086 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 6 July 2022

Signed

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Jedo Charles A delegate of the Australian Securities and Investments Commission

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#### 22-0644



# CORPORATIONS ACT SECTION 657D VARIATION OF ORDERS

#### **KEYBRIDGE CAPITAL LIMITED 04, 05 & 06 FURTHER VARIATION**

Pursuant to section 657D(3) of the Corporations Act 2001 (Cth)

#### THE PANEL ORDERS

The final orders made by the initial Panel in *Keybridge Capital Limited* 04, 05 & 06 on 7 April 2020, which were affirmed by the review Panel in *Keybridge Capital Limited* 08R, 09R & 10R on 20 May 2020, and subsequently varied by the variation Panel in *Keybridge Capital Limited* 04, 05 & 06 Variation on 8 September 2020, are further varied by:

Amending Order 3 so that the following underlined words are included in the Order:

"Unless a Court makes orders or a declaration inconsistent with this Order, from and including the date of these orders WAM Active must comply with Order 5B if it receives a request from any Processed Shareholder (or a request from a Processed Shareholder's agent or attorney) <u>on or before the date that is</u> <u>1 month from the Further Variation Date</u> to reverse the transaction by which WAM Active acquired any Processed Shares from that Processed Shareholder.

For the avoidance of doubt, this Order applies in relation to all reversal requests received by WAM Active prior to the Variation Date but which have not been actioned."

Inserting new Order 3A as follows:

"WAM Active must, within 3 business days of the Further Variation Date, provide written notice to each Processed Shareholder (excluding only those Processed Shareholders that either (1) withdrew and accepted into the Catalano Offer or (2) withdrew and had Processed Shares returned to them), using, to WAM Active's knowledge, the last known registered address for that Processed Shareholder, informing them:

- (a) of the Panel's decision to vary the orders so that there is an end date on Order 3 and
- (b) that Processed Shareholders who wish to withdraw their previous acceptance of WAM Active's takeover offer dated 3 January 2020 have

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# 22-0644

until 1 month from the Further Variation Date to exercise their reversal right in Order 3."

3. Including the following in Order 13:

"Further Variation Date

26 April 2022"

Tania Mattei General Counsel with authority of Sharon Warburton President of the sitting Panel Dated 22 April 2022

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CORPORATIONS ACT 2001 Section 601CL(5)

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

Dated this eighth day of July 2022

# Name of Company

ARBN

- ANGY (CHINA) MEDICAL LIMITED 616 476 441
- INTERCONTINENTAL JEWELLERY MANUFACTURING PUBLIC 129 486 522 COMPANY LIMITED 132 476 236 QUINTANA MH HOLDING COMPANY LLC 619 474 476
- SILVERDALE CAPITAL PTE. LTD.632 558 368TOUCHSTONE ES LIMITED130 695 760

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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 eighth day of July 2022

Name of Company	ARBN
ISX FINANCIAL EU PLC	629 892 324
ISX HOLDINGS LTD	644 372 261
SUREFLAP LIMITED	166 905 871
way with words sa (pty) Ltd	623 517 724

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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 eighth day of July 2022

# Name of Scheme

# ARSN

FORUM SECURITIES GLOBAL REAL ESTATE FUND 139 655 208

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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 eighth day of July 2022

# Name of Scheme

# ARSN

PARADICE SMALL CAP HIGH CONVICTION FUND 655 835 224

ASIC GAZETTE No. A28/22, Tuesday 12 July 2022 Change of company type

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 PHARMACEUTICAL INDUSTRIES**

LTD ACN 000 004 320 will change to a proprietary company limited by shares. The new name will be AUSTRALIAN PHARMACEUTICAL INDUSTRIES PTY LTD ACN 000 004 320.

# **CENTENNIAL MINING LIMITED**

ACN 149 308 921 will change to a proprietary company limited by shares. The new name will be KAISER MINING PTY LTD ACN 149 308 921.

# HYDROGENUS ENERGY PTY LTD

ACN 163 460 884 will change to a public company limited by shares. The new name will be HYDROGENUS ENERGY LIMITED ACN 163 460 884.

# VANQUISH TECHNOLOGIES LTD

ACN 621 278 500 will change to a proprietary company limited by shares. The new name will be VANQUISH TECHNOLOGIES PTY LTD ACN 621 278 500.

# WESTERN LITHIUM PTY LTD ACN 631 748 617

will change to a public company limited by shares. The new name will be WESTERN LITHIUM LTD ACN 631 748 617. **BEAR HILL MINING NL** ACN 151 706 768 will change to a proprietary company limited by shares. The new name will be BEAR HILL MINING PTY LTD ACN 151 706 768.

# **GENIE SOLUTIONS GROUP LIMITED**

ACN 618 285 993 will change to a proprietary company limited by shares. The new name will be GENIE SOLUTIONS GROUP PTY LIMITED ACN 618 285 993.

# SPECKLE PARK GROUP LIMITED

ACN 627 856 759 will change to a proprietary company limited by shares. The new name will be SPECKLE PARK GROUP PTY LIMITED ACN 627 856 759.

# VIEVERS & TRITON HOLDINGS LTD

ACN 162 580 832 will change to a proprietary company limited by shares. The new name will be VIEVERS & TRITON HOLDINGS PTY LTD ACN 162 580 832.

# WESTPAC PROPERTIES LTD ACN 000 417 890

will change to a proprietary company limited by shares. The new name will be WESTPAC PROPERTIES PTY LIMITED ACN 000 417 890.

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