



**ASIC**  
Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette  
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# ASIC Gazette

## Contents

### Notices under Corporations Act 2001

25-0362	25-0372	25-0409	25-0428	25-0441	25-0446
25-0467	25-0472				

Company/scheme deregistrations

Change of company type

### 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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25-0362

**Australian Securities and Investments Commission****Corporations Act 2001 – Paragraph 1020F(1)(c) – Declaration****Enabling legislation**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under paragraph 1020F(1)(c) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 25-0362.

**Commencement**

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

**Declaration**

4. Part 7.9 of the Act applies to Equity Trustees Limited ACN 004 031 298 (*Trustee*) in its capacity as the Trustee of the Aurum Alpha Australian Feeder Fund (*Scheme*) as if s1017E of the Act were modified or varied as follows:
  - (a) in paragraph 1017E(4)(d) of the Act, omit “one month” and substitute “60 days”; and
  - (b) in paragraph 1017E(4)(e) of the Act, omit “end of that month” and substitute “end of the period referred to in paragraph (4)(d)”.

**Where this instrument applies**

5. This declaration applies in relation to interests in the Scheme issued by the Trustee under an Information Memorandum (*IM*) for interests in the Scheme, where the IM includes a statement to the effect that money paid for interests in the Scheme may be held for up to 60 days starting on the day on which the money was received before the interests are issued or the money is returned.

Dated this 14th day of July 2025



Signed by Rachel Adams

as a delegate of the Australian Securities and Investments Commission

25-0372

**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 25-0372.

**Commencement**

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

**Exemption**

4. ASIC exempts Eldridge SME Advisers, LLC, a company formed in a State of the US (Delaware), and registered with the US Securities and Exchange Commission under file number 801-131605 (the *body*) 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.

25-0372

**Schedule A**

1. The exemption in paragraph 4 of this instrument applies where all of the following apply:
  - (a) the body is a registered investment adviser;
  - (b) the body is a body corporate incorporated in the US or a State of the US;
  - (c) the body 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 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 services 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):
  - (c) securities;
  - (d) debentures, stocks or bonds issued by a government;

25-0372

- (e) managed investment products; and
  - (f) 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 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;
    - (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;
    - (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 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 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; and
  - (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.

25-0372

**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 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 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; 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



25-0372

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 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 9 of the Act;

*financial services law* has the meaning given by section 9 of the Act;

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

*managed investment product* 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 SEC) which regulates financial services and which is established by or for the purposes of a foreign government or legislative body;

*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 section 9 of the Act.

*US* means the United States of America;

25-0372

*US 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 SEC;

*wholesale client* has the meaning given in section 9 of the Act.

Dated this 18<sup>th</sup> day of July 2025.

A handwritten signature in blue ink, appearing to read 'Keith Tong', is written over a faint, circular official stamp.

Signed by Keith Tong  
as a delegate of the Australian Securities and Investments Commission





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Investments Commission

**Australian Securities  
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**25-0409**

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

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

TO: Alius Capital Pty Ltd  
ACN 640 896 715 ("the Licensee")  
Attention: Pinn Deavin & Co  
Level 2, 2-4 Northumberland Road  
Taren Point 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 523554 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 2 July 2025

Signed *George Podaras*  
.....

George Podaras  
A delegate of the Australian Securities and Investments Commission



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Investments Commission

**Australian Securities  
and Investments Commission**

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**25-0428**

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

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

TO: Financial Solutions Australasia Pty Ltd  
ACN 008 939 599 ("the Licensee")  
Level 6, 400 Ruthven Street  
TOOWOOMBA QLD 4350

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 244308 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 July 2025

Signed

Wesley Mercer  
A delegate of the Australian Securities and Investments Commission

25-0441

## Australian Securities and Investments Commission

## Corporations Act 2001 – Paragraphs 601QA(1)(a), 655A(1)(b) and 1020F(1)(a)

## Declaration and Exemptions

## Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 601QA(1)(a), 655A(1)(b) and 1020F(1)(a) of the *Corporations Act 2001 (Act)*.

## Title

2. This instrument is ASIC Instrument 25-0441.

## Commencement

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

## Exemptions

4. Equity Trustees Limited ACN 004 031 298 in its capacity as the responsible entity of Revolution Private Credit Income Trust ARSN 686 288 335 (*Scheme*) does not have to comply with:

- (a) paragraph 601FC(1)(d) to the extent that it requires the responsible entity of a registered scheme to treat members who hold interests in the same class equally;
- (b) paragraph 601FG(1)(a); and
- (c) Division 5A of Part 7.9.

## Declaration

5. Chapter 5C of the Act applies to a responsible entity as if Part 5C were modified or varied by, after Part 5C.6, inserting:

“Part 5C.6B - Buy-backs by listed schemes

## Division 1- Preliminary

## 601KJ Application of this Part

This Part applies to the purchase of interests in a listed managed investment scheme by the responsible entity of the scheme where the purchase is off-market and does not take place in the ordinary course of trading on the financial market of ASX Limited (ASX), and the purchase price is paid from scheme property. For the purposes of this Part, such a purchase is referred to as a *buy-back*.

## Division 2 — Requirements for buy-backs

## 601KK Constitutional provisions about buy-backs

If the responsible entity of the scheme is to have the power to buy back interests in the scheme, the power must be specified in the scheme's constitution.

## 601KL Procedural requirements for buy-backs

## 25-0441

- (1) A responsible entity must not buy back an interest in the scheme otherwise than in accordance with the scheme's constitution and this section.
- (2) A responsible entity may buy back an interest if it does not materially prejudice the responsible entity's ability to pay its creditors in relation to liabilities incurred or acquired by it as responsible entity of the scheme.
- (3) A responsible entity that buys back an interest in the scheme:
- (a) must only buy the interest if:
    - (i) the buy-back is done off-market; and
    - (ii) the buy-back is covered by subsection (5) to (7) or subsection (8); and
  - (b) if it reasonably believes that it complies with the listing rules of the ASX that apply to buy-backs as if:
    - (i) the scheme were a company included in the official list of the financial market of the ASX; and
    - (ii) interests in the scheme were shares in the company; and
- Note: The listing rules of ASX that apply to off-market buy-backs include:  
Listing Rule 3.8A (company making a buy-back), including Appendix 3C: Announcement of buy-back; Appendix 3D: Change relating to buy-back; Appendix 3E: Daily notification; and Appendix 3F: Final notice.
- (c) must not dispose of the interests it buys back.
- (4) immediately after registration of the transfer to the responsible entity of the interests bought back, the interests are cancelled.
- Buy-backs within the 10/12 limit*
- (5) If the responsible entity proposes to buy back an interest in the scheme within the 10/12 limit, the responsible entity must give a notice to ASX which:
- (a) discloses the responsible entity's intention to buy back interests in the scheme within the 10/12 limit; and
  - (b) sets out:
    - (i) the number of interests in the scheme held by the responsible entity and any associate of the responsible entity; and
    - (ii) the source of funds to pay for any interests bought back.
- (6) The responsible entity:
- (a) must not buy back an interest for at least 14 days after giving the notice; and
  - (b) must start buying back interests:
    - (i) if a date is specified in the notice by which the responsible entity will start to buy back interests—by that date; or
    - (ii) otherwise—within 2 months of the date of the notice; and

## 25-0441

Note: If the responsible entity does not start buying back interests within the period referred to in paragraph (b) but the responsible entity wishes to proceed with the buy-back, it will need to give another notice to ASX in accordance with subsection (5).

(c) must not buy back an interest which would exceed the 10/12 limit except in accordance with subsection (8).

(7) The responsible entity may buy back an interest in the scheme for a period of 12 months from the date of the giving of the notice. If the responsible entity proposes to buy back an interest in the scheme beyond that period it must give ASX a further notice:

(a) disclosing the responsible entity's intention to continue to buy back interests; and

(b) setting out the matters referred to in paragraph (5)(b).

Each notice extends the period in which the responsible entity may continue to buy back interests in the scheme by 12 months provided it is given to ASX before the expiry of the period covered by the previous notice.

*Buy-backs which would exceed the 10/12 limit*

(8) If the responsible entity proposes to buy back an interest in the scheme which would exceed the 10/12 limit it must have:

(a) obtained, by resolution at a meeting of members of the scheme in the last 12 months, the approval of members of the terms of the proposed buy-back arrangement; and

(b) included with the notice of meeting a statement setting out all information known to the responsible entity that was material to the decision how to vote on the resolution other than information that it would be unreasonable to require the responsible entity to disclose because it had previously disclosed the information to the scheme's members.

*Interpretation*

(9) The 10/12 limit for a responsible entity of a scheme proposing to make a buy-back is 10% of the smallest number, at any time during the last 12 months, of interests in the scheme.

(10) A proposed buy-back would exceed the 10/12 limit if the number of:

(a) interests in the scheme that have been bought back during the last 12 months; and

(b) interests that will be bought back if the proposed buy-back is made;

would exceed the 10/12 limit.

#### 601KM Interaction with other provisions of this Chapter

For the avoidance of doubt subsection 601GA(4) and Part 5C.6 do not apply to a buy-back under this Part."

#### Takeovers

6. Chapter 6 of the Act applies to Equity Trustees Limited in its capacity as the responsible entity of the Scheme as if section 609 of the Act was modified or varied by inserting after subsection (4):

"(4A) A person does not have a relevant interest in interests of a managed investment scheme if the relevant interest would arise merely because the responsible entity of the scheme has entered into an agreement to buy-back interests in the scheme in accordance with Part 5C.6B as declared by ASIC Instrument 25-0441."

25-0441

7. Chapter 6 of the Act applies to Equity Trustees Limited and to registered Unitholders in the Scheme as if the table in section 611 of the Act, as modified or varied by *ASIC Corporations (ASX-listed Schemes On-market Buy-backs) Instrument 2016/1159 (ASIC Instrument 2016/1159)*, were further modified or varied by inserting after item 19A:

"(19B) An acquisition that results from the responsible entity of a registered scheme buying interests in the scheme in accordance with Part 5C.6B as declared by ASIC instrument 25-0441" .

#### Where this instrument applies

8. This instrument applies where:

- (a) Equity Trustees Limited makes an invitation to all Unitholders (except *Excluded Foreign Holders*) to participate in the Buy-Back at the Buy-Back Price;
- (b) Equity Trustees Limited has given the Explanatory Statement to all members of the Scheme who are eligible to participate under the Buy-Back that:
  - (i) states all information known to Equity Trustees Limited that is material to the decision of a member of the Scheme whether or not to participate in the Buy-Back;
  - (ii) specifies the period to elect to participate in the Buy-Back, being at least 21 days;
  - (iii) specifies the scheme assets that will be used to satisfy the liability to pay for interests to be bought back; and
  - (iv) specifies the Buy-Back Execution Rules to be applied if elections to participate in the Buy-Back exceed the Buy-Back Limit;
- (c) after the Explanatory Statement is given to members of the Scheme, the members have a reasonable opportunity to elect to participate in the Buy-Back at the Buy-Back Price; and
- (d) Equity Trustees Limited carries out the Buy-Back in accordance with the terms as described in the Explanatory Statement under which all members of the Scheme are to be treated equally except:
  - (i) Excluded Foreign Holders and any offer from an Excluded Foreign Holder for the sale of Units in the Revolution Private Income Trust received by Equity Trustees Limited need not be accepted by Equity Trustees Limited; and
  - (ii) elections to participate in the Buy-Back will be accepted in accordance with the Buy-Back Execution Rules.

#### Interpretation

9. In this instrument:

**Buy-Back** means an acquisition of Units in the Scheme by Equity Trustees Limited through an off market buy-back in accordance with this instrument.

**Buy-Back Closing Date** means the closing date of the Buy-Back.

**Buy-Back Date** means the date the Units in the Scheme will be bought back.



25-0441

**Buy-Back Execution Rules** means if at the Buy-Back Closing Date, Equity Trustees Limited has received elections to participate in the Buy-Back that in aggregate are:

- (a) more than the Buy-Back Limit then all Units in the Scheme elected by Unitholders to participate in the Buy-Back are bought back subject to a reduction by the same proportion (pro-rata subject to rounding of fractions), or
- (b) equal to or less than the Buy-Back Limit then all Units in the Scheme elected by Unitholders to participate in the Buy-Back are bought back.

**Buy-Back Pricing Date** means the pricing date for the Buy-Back Price as set out in the Explanatory Statement.

**Buy-Back Price** is the price at which the Units in the Scheme will be bought back under the Buy-Back, which is equal to the Net Tangible Asset Backing of each Unit in the Scheme on the Buy-Back Date.

**Buy-Back Limit** is the maximum number of Units in the Scheme that may be bought back under the Buy-Back as set out in the Explanatory Statement, being up to the lower of 5% of the issued capital of the Scheme at the Buy-Back Price and, unless member approval is obtained in accordance with subsection 601KL(8), the 10/12 limit.

**Excluded Foreign Holders** means Unitholder who Equity Trustees Limited determines to exclude on the basis that:

- (a) Equity Trustees Limited would be prohibited from making a payment under an act, rule or regulation that prohibits Equity Trustees Limited from making payments to a person who resides in a jurisdiction outside of Australia or New Zealand;
- (b) the holder resides in a jurisdiction where it would be illegal under the laws of that jurisdiction to make an invitation to the holder or for the holder to participate in the Buy-Back, or
- (c) the holder resides in a jurisdiction outside Australia or New Zealand and it would be unreasonable to make an invitation to the holder having regard to each of the following:
  - (i) the number of holders in that jurisdiction;
  - (ii) the number and the value of Units in the Scheme held by holders in that jurisdiction; and
  - (iii) the cost of complying with legal requirements and the requirements of any relevant regulatory authority applicable to make the invitation in that jurisdiction.

**Explanatory Statement** means the explanatory statement for the Buy-Back which will be sent to Unitholders in relation to the Buy-Back.

**Net Tangible Asset Backing** has the meaning given by the listing rules of the ASX in force at the date of this instrument.

**Unit** means an interest in the Scheme.

**Unitholder** means the holder of a Unit in the Scheme.

25-0441

Dated 14 July 2025.

A handwritten signature in dark ink, appearing to read 'A. Norris', is positioned above the printed name.

Signed by Angela Norris

as a delegate of the Australian Securities and Investments Commission

25-0446

**Australian Government****Takeovers Panel**

**CORPORATIONS ACT  
SECTIONS 657EA AND 657D  
VARIATION OF ORDERS**

**SOUTHERN CROSS MEDIA GROUP LIMITED 02R & 03R VARIATION**

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

**THE PANEL ORDERS**

The final orders made by the review Panel in *Southern Cross Media Group Limited 02R & 03R* on 17 January 2024 are varied by restating those orders with the following amendments:

1. Amending Order 5 to read:

“These orders apply until the earlier of:

- (a) ARN or any of its Associates obtaining voting power of 100% in Southern Cross
- (b) Order 1 having no application as a result of the operation of Order 5A or
- (c) further order of the Panel.”

2. Inserting new Order 5A as follows:

“At the end of each 6-month period after the Variation Date, Order 1 ceases to apply in relation to 7,196,974 Relevant Shares.”

3. Including the following in Order 6:

“**Variation Date** means 1 July 2025.”

A handwritten signature in black ink, appearing to read 'Tania Mattei'.

**Tania Mattei**  
**General Counsel**  
**with authority of Christian Johnston**  
**President of the sitting Panel**  
**Dated 1 July 2025**



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**25-0467**

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

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

TO: Spartan Asset Management Pty Ltd  
ACN 082 828 493 ("the Licensee")  
Level 7, 1 Margaret 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 230540 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 16 July 2025

Signed *George Podaras*  
.....

George Podaras  
A delegate of the Australian Securities and Investments Commission

25-0472

**Australian Securities and Investments Commission  
Corporations Act 2001 — paragraph 926A(2)(a) — Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 926A(2)(a) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 25-0472.

**Commencement**

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

**Exemption**

4. ASIC exempts Kopernik Global Investors, LLC, a limited liability company formed under the laws of the US, and registered with the US Securities and Exchange Commission under file number 801-78514 (the *body*), from the requirement to hold an Australian financial services (*AFS*) licence, in the case specified in Schedule A, on the conditions specified in Schedule B.

**Cessation**

5. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) sub-paragraph 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 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.

25-0472

**Schedule A**

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



25-0472

- (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 any of the following financial services (the *financial services*) in this jurisdiction to wholesale clients:
  - (a) providing financial product advice;in respect of any of the following financial products (the *financial products*):
  - (a) securities; or
  - (b) 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 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 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 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

25-0472

- (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; and
- (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).

25-0472

**Schedule B**

1. The body must provide each of the financial services in respect of the financial products 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

25-0472

- (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; 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.

### Interpretation

In this instrument:

**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*;

**derivatives** has the meaning given by section 9 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 section 17(d)(1)(A) of the Exchange Act in any respect;

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

**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;

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

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

25-0472

*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 or dealer registered under section 15(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 section 203(c) of the Investment Advisers Act of 1940 of the US;

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

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

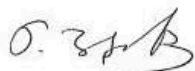
*US* means the United States of America;

*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 1(a)(i) of Schedule A but not subparagraphs 1(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 section 761G of the Act.

Dated this 16th day of July 2025



Signed by Osman Isik  
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 July 2025

**Name of Scheme****ARSN**

DEXUS ASIAN REIT FUND

162 658 200



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 July 2025

**Name of Company****ARBN**

EJF CAPITAL LLC

626 100 623

HARVEY NASH LIMITED

613 097 680

CORPORATIONS ACT 2001

Section 601CL(5)

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

Dated this eighteenth day of July 2025

**Name of Company**

**ARBN**

ARIEL INVESTMENTS, LLC

605 418 120

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.

**BIGTINCAN HOLDINGS LIMITED**

ACN 154 944 797 will change to a proprietary company limited by shares. The new name will be BIGTINCAN HOLDINGS PTY LTD ACN 154 944 797.

**LYNC UP TECHNOLOGIES LIMITED**

ACN 687 634 706 will change to a proprietary company limited by shares. The new name will be LYNC UP TECHNOLOGIES PTY LTD ACN 687 634 706.

**MAKO GOLD LIMITED** ACN 606 241 829 will change to a proprietary company limited by shares. The new name will be MAKO GOLD PTY LTD ACN 606 241 829.

**ONLINE MEDIA HOLDINGS LIMITED**

ACN 147 652 337 will change to a proprietary company limited by shares. The new name will be ONLINE MEDIA HOLDINGS PTY LTD ACN 147 652 337.

**CLICKCAR HOLDINGS PTY LTD**

ACN 648 091 418 will change to a public company limited by shares. The new name will be CARMA LIMITED ACN 648 091 418.

**MACPHERSONS RESOURCES LIMITED**

ACN 139 357 967 will change to a proprietary company limited by shares. The new name will be MACPHERSONS RESOURCES PTY LIMITED ACN 139 357 967.

**MOMENTA HOLDINGS LIMITED**

ACN 647 575 497 will change to a proprietary company limited by shares. The new name will be MOMENTA HOLDINGS PTY LTD ACN 647 575 497.