



**ASIC**  
Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

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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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24-0896

**Australian Securities and Investments Commission  
Corporations Act 2001- Subsections 601QA(l), 655A(1)(b) and 1020F(l)(a)  
Declaration and Exemption**

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 24-0896.

**Commencement**

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

**Exemptions**

4. 360 Capital FM Limited ACN 090 664 396 (*360 Capital FM*) in its capacity as the responsible entity of 360 Capital Mortgage REIT ARSN 115 632 990 (*Scheme*) does not have to comply with:
  - (a) paragraph 601FC(l)(d) of the Act 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(l)(a) of the Act; and
  - (c) Division 5 A of Part 7.9 of the Act.

**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.

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**601KL Procedural requirements for buy-backs**

- (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; and

- (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

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(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

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:

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- (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 360 Capital FM in its capacity as 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 24-0896.

7. Chapter 6 of the Act applies to 360 Capital FM and to registered TCF Unit Holders 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 24-0896”.

**Where this instrument applies**

8. This instrument applies where:

- (a) 360 Capital FM invites relevant TCF Unit Holders (except *Excluded Foreign Holders*) to participate in the Off-Market Buy-Back at the Off-Market Buy-Back Price;
- (b) 360 Capital FM has given the Explanatory Statement and Notice of Meeting to all members of the Scheme who are eligible to participate under the Off-Market Buy-Back that:
  - (i) states all information known to 360 Capital FM that is material to the decision of a member of the Scheme whether or not to participate in the Off-Market Buy-Back;
  - (ii) specifies the period to elect to participate in the Off-Market 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 under the Off-Market Buy-Back; and

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- (iv) specifies the Off-Market Buy-Back Execution Rules to be applied if elections to participate in the Off-Market Buy-Back exceed the Off-Market Buy-Back Limit;
- (v) provides the TCF Unit Holders with the opportunity to vote of the Off-Market Buy-Back;
- (c) after the Explanatory Statement and Notice is given to members of the Scheme and subject to the Off-Market Buy-Back being approved by members, the members have a reasonable opportunity to elect to participate in the Off-Market Buy-Back at the Off-Market Buy-Back Price; and
- (d) subject to the Off-Market Buy-Back being approved by members, 360 Capital FM carries out the Off-Market Buy-Back in accordance with the terms as described in the Explanatory Statement and Notice 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 TCF Units received by 360 Capital FM need not be accepted by 360 Capital FM; and
  - (ii) elections to participate in the Off-Market Buy-Back will be accepted in accordance with the Off-Market Buy-Back Execution Rules.

#### Interpretation

9. In this instrument:

***Excluded Foreign Holders*** means TCF Unit Holders who 360 Capital FM determines to exclude from the Off-Market Buy-Back on the basis that:

- (a) 360 Capital FM would be prohibited from making a payment to pursuant to an act, rule or regulation that prohibits 360 Capital FM from making payments to a person who resides in a Jurisdiction outside of Australia;
- (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 Off-Market Buy-Back; or
- (c) the holder resides in a jurisdiction outside Australia 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 TCF Units 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 Off-Market Buy-Back which will be sent to TCF Unit Holders in relation to the Off-Market Buy-Back.

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

**Notice of Meeting** means the notice of meeting for the Off-Market Buy-back which will be sent to TCF Unit Holders in relation to the Off-Market Buy-Back.

**Off-Market Buy-Back** means an acquisition of TCF Units by 360 Capital FM through equal access off market buy-back in the 12 month period following the relevant resolution of TCF Unit Holders, subject to the Off-Market Buy-Back Limit.

**Off-Market Buy-Back Cancellation of Units Date** means the relevant date on which TCF Units which are the subject of the Off-Market Buy-Back are cancelled as set out in the Explanatory Statement and Notice of Meeting.

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

**Off-Market Buy-Back Date** means the date the TCF Units will be bought back.

**Off-Market Buy-Back Execution Rules** means if at the Off-Market Buy-Back Closing Date, 360 Capital FM has received elections to participate in the relevant Off-Market Buy-Back that in aggregate are:

- (a) more than the Buy-Back Limit then all TCF Units elected by TCF Unit Holders to participate in the Off-Market Buy-Back are bought back subject to:
  - a. a reduction by the same proportion (pro rata subject to rounding of fractions); or
  - b. small parcel or tender scale-back relief so that the maximum value of a small parcel of TCF Units is:
    - i. \$2,000 for TCF Units to be bought back from each participating TCF Unit Holder, including the entire holding of participating TCF Unit Holders whose holding is less than \$2,000 (threshold parcel); and
    - ii. \$500 where a participating TCF Unit Holder's remaining TCF Units are worth less than \$500 after the threshold parcel is bought back (residual parcel); or
- (b) equal to or less than the Off-Market Buy-Back Limit then all TCF Units elected by TCF Unit Holders to participate in the Off-Market Buy-Back are bought back.

**Off-Market Buy-Back Limit** is the maximum number of TCF Units that may be bought back under the Off-Market Buy-Back as set out in the Explanatory Statement and Notice of Meeting, being, in the 12 month period following the resolution of TCF Unit Holders, up to 10% of the highest number of TCF Units on issue at any time during that period less as at the date of an Off-Market Buy-Back the number of TCF Units bought back pursuant to the On-Market Buy-Back in the 12 month period from the date of the resolution of TCF Unit Holders.

**Off-Market Buy-Back Payment Date** means the relevant date that payments in respect of the Off-Market Buy-Back are made as set out in the Explanatory Statement and Notice of Meeting.

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**Off-Market Buy-Back Pricing Date** means the pricing date for the Off-Market Buy-Back Price as set out in the Explanatory Statement and Notice of Meeting.

**Off-Market Buy-Back Price** is the price at which the TCF Units will be bought back under the Off-Market Buy-Back, which is equal to the sum of the:

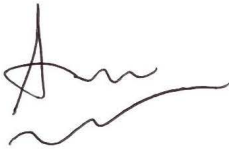
- (a) Net Tangible Asset Backing of each TCF Units on the Off-Market Buy-Back Date; and
- (b) the sum of the amounts of distributions that the TCF Unit Holder would have been entitled to if the TCF Unit was not cancelled from the Off-Market Buy-Back Cancellation of Units Date up to the Off-Market Buy-Back Payment Date.

**On-Market Buy-Back** means an acquisition of TCF Units by 360 Capital FM through an on-market buy-back in accordance with the relief in ASIC Corporations (ASX-listed Schemes On-market Buybacks) Instrument 2016/1159.

**TCF Unit Holder** means the holder of a TCF Unit.

**TCF Unit** means a unit in the Scheme.

Dated this 21<sup>st</sup> day of November 2024



Signed by Avinash Rao

as a delegate for the Australian Securities and Investments Commission





**ASIC**  
Australian Securities &  
Investments Commission

**Australian Securities  
and Investments Commission**

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**24-0899**

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

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

TO: Winchester Associates Pty Limited  
ACN 096 312 051 ("the Licensee")  
Suite 4 Level 10 56 Pitt 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 241734 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 25 November 2024

Signed *J Dimitropoulos*.....

James Dimitropoulos  
A delegate of the Australian Securities and Investments Commission

24-0900

**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 (*ASIC*) makes this instrument under paragraphs 741(1)(a) and 741(1)(b) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 24-0900.

**Commencement**

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

**Exemption**

4. Cygnus Metals Limited ACN 609 094 653 (*Cygnus*) does not have to comply with Part 6D.2 or 6D.3 of the Act for an offer of Cygnus Securities to holders of Target Securities.

**Declaration**

5. Chapter 6D of the Act applies to holders of Cygnus Shares as if section 707 were modified or varied by omitting subsections 707(3) and (4) and substituting:  
  
“(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.”.

24-0900

**Where this instrument applies**

6. This instrument applies:
- (a) in connection with the Plan of Arrangement on the terms and conditions set out in the Information Circular;
  - (b) where the Information Circular is prepared for a special meeting of the Target and provided to holders of the Target Securities;
  - (c) where the Information Circular is provided to ASX for release to the market prior to any on-sale of Cygnus Shares issued under the Plan of Arrangement; and
  - (d) where the Plan of Arrangement complies with all statutory requirements under the *Canada Business Corporations Act*.

**Interpretation**

7. In this instrument:

**ASX** means ASX Limited ACN 008 624 691 or the stock exchange operated by ASX Limited.

**Cygnus Securities** means Cygnus Shares and/or options to acquire Cygnus Shares.

**Cygnus Shares** means fully paid ordinary shares in Cygnus.

**Information Circular** means an information circular dated 13 November 2024, filed on SEDAR+ and with any such amendments, variations or supplements as are approved by the Ontario Superior Court of Justice.

**Plan of Arrangement** means a plan of arrangement between Cygnus and the Target pursuant to section 192 of the *Canada Business Corporations Act*.

**Target** means Doré Copper Mining Corp., a corporation existing under the laws of Canada and listed on the TSX Venture Exchange, Frankfurt Stock Exchange and OTCQB Venture Market.

**Target Securities** means common shares in the Target or options (including warrants and deferred share units) to acquire common shares in the Target.

Dated this 22<sup>nd</sup> November 2024



Signed by Leigh Chan  
as a delegate of the Australian Securities and Investments Commission

24-0901

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 24-0901.

**Commencement**

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

**Exemption**

4. Channel Infrastructure NZ Limited does not have to comply with Part 6D.2 or Part 6D.3 of the Act, as modified by *ASIC Corporations (Foreign Rights Issues) Instrument 2015/356 (LI 2015/356)*, for a pro-rata offer or a shortfall offer to Australian Offerees.
5. A person that makes a sale offer of Channel Infrastructure NZ Limited securities within 12 months after the issue of the securities under a pro-rata offer or shortfall offer does not have to comply with Part 6D.2 or Part 6D.3 of the Act, as modified by LI 2015/356, in relation to the sale offer.
6. This instrument applies where Channel Infrastructure NZ Limited meets the requirements and conditions of LI 2015/356 except for paragraph 5(3)(b), and would meet the requirements of LI 2015/356 if paragraph 5(3)(b) was amended to read as follows:
  - (b) “the number of securities offered to Australian residents who are not sophisticated, experienced or professional investors within the meaning of sections 708(8), 708(10) and 708(11) of the Act is not more than 10% of the number of securities offered to all offerees”.

**Interpretation**

7. Other than as set out below, terms used in this instrument have the same meaning as those in LI 2015/356:

**24-0901**

**Channel Infrastructure NZ Limited** means Channel Infrastructure NZ Limited (New Zealand Company Number 65859 and NZBN 9429040663333), a body registered under the Companies Act 1993 of New Zealand.

Dated 24 November 2024



Signed by Kaihan Abdul Qadar  
as a delegate of the Australian Securities and Investments Commission

24-0904

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

**Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 24-0904.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to Charter Hall Wholesale Management Limited ACN 006 765 206 (*CHWML*), in its capacity as trustee of the CH Investment Trust and the CH Investment Co Trust (*Bidder*) as if Parts 6.4 and 6.6 were modified or varied as follows:

- (a) at the end of section 620(2) (as notionally modified by *ASIC Corporations (Takeover Bids) Instrument 2023/683*) insert:

“Each period specified in paragraph (a), (b), (ba) and (c) may be shorter if varied in accordance with section 650BAA.”

- (b) in section 650A (as notionally modified by ASIC Instrument 24-0865), omit “section 650B, 650BA, 650C or 650D” (wherever occurring), insert “section 650B, 650BA, 650BAA, 650C or 650D”.

- (c) after section 650BA (as notionally inserted by ASIC Instrument 24-0865), insert:

**“650BAA Off-market bids—Time for payment of consideration**

- (1) The bidder may vary the offers made under the bid by reducing the period or periods within which the bidder is to pay or provide consideration under the terms included in the offer in accordance with subsection 620(2).
- (2) Any variation under subsection (1) must reduce:
  - (a) each 1 month period specified in paragraphs 620(2)(a), 620(2)(b), and 620(2)(ba) by the same amount; and/or
  - (b) each 21 day period specified in paragraphs 620(2)(a), 620(2)(b), 620(2)(ba) and 620(2)(c) by the same amount.

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- (3) If the bidder varies the offers under this section:
- (a) a person who has already accepted an offer when the variation is made is entitled to be paid or provided the consideration within the reduced period or periods specified in the variation; and
  - (b) the takeover contract with the person is varied under this section to give effect to paragraph (3)(a)."

**Where this instrument applies**

5. This instrument applies in relation to the Bid where the Bidder has, on or before 26 November 2024, lodged with ASIC a notice under section 650D of the Act which includes a statement outlining the need for, and effect of, this instrument.

**Interpretation**

6. In this instrument:

***Bid*** means the off-market takeover bid made by the Bidder to acquire all of the stapled securities in HPI.

***HPI*** means Hotel Property Investments Group, comprising Hotel Property Investments Limited ACN 010 330 515 and Hotel Property Investments Trust ARSN 166 484 377.

Dated this 25<sup>th</sup> day of November 2024



Signed by Sean Ferguson  
as a delegate of the Australian Securities and Investments Commission

24-0906

**Australian Securities and Investments Commission****Corporations Act 2001 — Paragraph 907D(2)(a) — Exemption****Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under paragraph 907D(2)(a) of the *Corporations Act 2001*.

**Title**

2. This is ASIC Instrument 24-0906.

**Commencement**

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

**Exemption**

4. Subject to paragraphs 5 and 6 of this instrument, J.P. Morgan SE (**JPM SE**), an entity registered in Germany [ARBN 640 031 134], does not have to comply with Rule 2.2.1 or Rule 2.2.2 of the Rules in relation to reporting Identifying Information to a Licensed Repository for a Reportable Transaction entered into by JPM SE with a PRC counterparty or reporting Identifying Information of a PRC counterparty in regards to a change to the information previously reported where that change does not constitute a Reportable Transaction.

**Where the exemption applies**

5. The exemption in paragraph 4 only applies where:
  - (a) JPM SE is of the reasonable view that the reporting of the Identifying Information in accordance with Part 2.2 of the Rules may breach a law or regulation of the PRC jurisdiction;
  - (b) JPM SE has a written opinion of external legal counsel that supports the view referred to in subparagraph 5(a);
  - (c) JPM SE is reasonably satisfied that the law or regulation, the subject of the written legal opinion referred to in subparagraph 5(b), has not changed in any relevant respect since the date the opinion was issued; and
  - (d) JPM SE comply with the conditions in paragraph 6 of this instrument.

**Conditions of the exemption**

6. JPM SE must:
  - (a) before relying on the exemption in paragraph 4 of this instrument, take appropriate and documented steps to obtain the written consent of the PRC counterparty so that JPM SE can report the Identifying Information



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to the Licensed Repository in relation to a Reportable Transaction where the reporting of such information with the required consent would not be a breach of a law or regulation of the PRC;

- (b) if able to obtain the consent from the PRC counterparty to report the Identifying Information, use all reasonable endeavours to report the Identifying Information to the Licensed Repository to which the Reportable Transaction was reported, unless the OTC Derivative that is the subject of the Reportable Transaction, has been terminated or has expired;
- (c) on written request by ASIC, provide ASIC with information (including books and records) evidencing demonstrable steps taken by JPM SE to obtain the consent from the relevant PRC counterparty (referred to in subparagraph 6(a) of this instrument) to provide the Identifying Information to the Licensed Repository in relation to the Reportable Transaction, within a reasonable time agreed to by ASIC, covering the period set out in the request; and
- (d) submit “Name Withheld” as a substitute value for the Identifying Information that would otherwise be required to be reported as Derivative Transaction Information under the Rules.

#### Cessation

- 7. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) JPM SE failing to comply satisfactorily with any written notice given to it by ASIC, within the time specified in the notice, for either information (including books and records) or a written statement concerning matters that the exemption in this instrument relates to;
  - (b) JPM SE being unable to demonstrate, upon written request by ASIC, that it remains satisfied that the legal position referred to in subparagraph 5(b) of this instrument has not changed in any relevant respect since the date the opinion was issued;
  - (c) JPM SE being notified in writing by ASIC that it is excluded from relying on this instrument; and
  - (d) JPM SE notifying ASIC that it does not rely on this instrument any longer.

#### Interpretation

- 8. In this instrument:

*Derivative Transaction Information* means the information about Derivative Transactions set out in Part S1.3 of Schedule 1 to the Rules.

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*Identifying Information* means Derivative Transaction Information referred to in the following table, or substantially equivalent information:

Table in Rules	Item(s) in Table
Table S1.1(1): Transaction Information	7, 7a, 78, 79
Table S1.1(2): Valuation information	5
Table S1.1(3): Collateral information	5

*Licensed Repository* means a licensed derivative trade repository as defined in section 761A of the Act.

*PRC* means the People's Republic of China.

*PRC counterparty* means an entity located in the jurisdiction of the PRC and that is a counterparty to the Reportable Transaction.

*Reportable Transaction* has the meaning given by Rule 1.2.5.

*Rules* means the *ASIC Derivative Transaction Rules (Reporting) 2024*.

9. In this instrument, unless otherwise specified, capitalised terms have the meaning given by the Rules.

Dated this 27 of November 2024



Signed by Benjamin Cohn-Urbach  
as delegate of the Australian Securities and Investments Commission

24-0907

**Australian Securities and Investments Commission****Corporations Act 2001 — Paragraph 907D(2)(a) — Exemption****Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under paragraph 907D(2)(a) of the *Corporations Act 2001*.

**Title**

2. This is ASIC Instrument 24-0907.

**Commencement**

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

**Exemption**

4. Subject to paragraphs 5 and 6 of this instrument, JPMorgan Chase Bank, N.A. (**JPM Chase**), a corporation registered in Delaware, United States [ABN 43 074 112 011], does not have to comply with Rule 2.2.1 or Rule 2.2.2 of the Rules in relation to reporting Identifying Information to a Licensed Repository for a Reportable Transaction entered into by JPM Chase with a PRC counterparty or reporting Identifying Information of a PRC counterparty in regards to a change to the information previously reported where that change does not constitute a Reportable Transaction.

**Where the exemption applies**

5. The exemption in paragraph 4 only applies where:
  - (a) JPM Chase is of the reasonable view that the reporting of the Identifying Information in accordance with Part 2.2 of the Rules may breach a law or regulation of the PRC jurisdiction;
  - (b) JPM Chase has a written opinion of external legal counsel that supports the view referred to in subparagraph 5(a);
  - (c) JPM Chase is reasonably satisfied that the law or regulation, the subject of the written legal opinion referred to in subparagraph 5(b), has not changed in any relevant respect since the date the opinion was issued; and
  - (d) JPM Chase comply with the conditions in paragraph 6 of this instrument.

**Conditions of the exemption**

6. JPM Chase must:
  - (a) before relying on the exemption in paragraph 4 of this instrument, take appropriate and documented steps to obtain the written consent of the

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PRC counterparty so that JPM Chase can report the Identifying Information to the Licensed Repository in relation to a Reportable Transaction where the reporting of such information with the required consent would not be a breach of a law or regulation of the PRC;

- (b) if able to obtain the consent from the PRC counterparty to report the Identifying Information, use all reasonable endeavours to report the Identifying Information to the Licensed Repository to which the Reportable Transaction was reported, unless the OTC Derivative that is the subject of the Reportable Transaction, has been terminated or has expired;
- (c) on written request by ASIC, provide ASIC with information (including books and records) evidencing demonstrable steps taken by JPM Chase to obtain the consent from the relevant PRC counterparty (referred to in subparagraph 6(a) of this instrument) to provide the Identifying Information to the Licensed Repository in relation to the Reportable Transaction, within a reasonable time agreed to by ASIC, covering the period set out in the request; and
- (d) submit "Name Withheld" as a substitute value for the Identifying Information that would otherwise be required to be reported as Derivative Transaction Information under the Rules.

#### **Cessation**

- 7. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) JPM Chase failing to comply satisfactorily with any written notice given to it by ASIC, within the time specified in the notice, for either information (including books and records) or a written statement concerning matters that the exemption in this instrument relates to;
  - (b) JPM Chase being unable to demonstrate, upon written request by ASIC, that it remains satisfied that the legal position referred to in subparagraph 5(b) of this instrument has not changed in any relevant respect since the date the opinion was issued;
  - (c) JPM Chase being notified in writing by ASIC that it is excluded from relying on this instrument; and
  - (d) JPM Chase notifying ASIC that it does not rely on this instrument any longer.

#### **Interpretation**

- 8. In this instrument:

*Derivative Transaction Information* means the information about Derivative Transactions set out in Part S1.3 of Schedule 1 to the Rules.

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*Identifying Information* means Derivative Transaction Information referred to in the following table, or substantially equivalent information:

Table in Rules	Item(s) in Table
Table S1.1(1): Transaction Information	7, 7a, 78, 79
Table S1.1(2): Valuation information	5
Table S1.1(3): Collateral information	5

*Licensed Repository* means a licensed derivative trade repository as defined in section 761A of the Act.

*PRC* means the People's Republic of China.

*PRC counterparty* means an entity located in the jurisdiction of the PRC and that is a counterparty to the Reportable Transaction.

*Reportable Transaction* has the meaning given by Rule 1.2.5.

*Rules* means the *ASIC Derivative Transaction Rules (Reporting) 2024*.

9. In this instrument, unless otherwise specified, capitalised terms have the meaning given by the Rules.

Dated this 27 November 2024



Signed by Benjamin Cohn-Urbach  
as delegate of the Australian Securities and Investments Commission

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**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 (Act)*.

**Title**

2. This instrument is ASIC Instrument 24-0910.

**Commencement**

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

**Cessation**

4. The exemption in paragraph 5 ceases to have effect on the earlier of:
  - (a) the date specified in subitem 1(3) of Schedule 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396*; or
  - (b) KGI Securities (Singapore) Pte. Ltd., a company incorporated under the laws of Singapore under company registration number 195500144H and registered with the MAS under licence number CMS000136 (the *body*), failing to comply 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.

**Exemption**

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

**Schedule A**

1. Where all of the following apply:
  - (a) the body has a current capital market services licence;
  - (b) the body is either a body corporate incorporated in Singapore or a partnership formed in Singapore;
  - (c) the body:

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- (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
  - (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; and
2. Where the body provides any of the following financial services (the *financial services*) in this jurisdiction to wholesale clients:
- (a) providing financial product advice; or
  - (b) dealing in a financial product;
- in respect of any of the following financial products:
- (c) derivatives; and
3. Where the body has provided ASIC with:
- (a) a copy of the capital market services licence granted to it by MAS;
  - (b) a notice that it will provide financial services in this jurisdiction in reliance on this instrument;
  - (c) a deed of the body for the benefit of and enforceable by ASIC and the other persons referred to in subsection 659B(1) of the Act that applies notwithstanding that the body may have ceased to rely, or never have relied, on this instrument, which deed provides that:
    - (i) the deed is irrevocable except with the prior written consent of ASIC;
    - (ii) the body submits to the non-exclusive jurisdiction of the Australian courts in legal proceedings conducted by ASIC (including under section 50 of the

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ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise;

- (iii) the body covenants to comply with any order of an Australian court in respect of any matter relating to the provision of the financial services;
  - (iv) if the body is not registered under Division 2 of Part 5B.2 of the Act, service of process on the body in relation to legal proceedings conducted by ASIC (including under section 50 of the ASIC Act) and, in relation to proceedings relating to a financial services law, by any person referred to in subsection 659B(1) of the Act and whether brought in the name of ASIC or the Crown or otherwise can be effected by service on the Agent; and
  - (v) the body covenants that, on written request of either MAS or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist MAS to disclose to ASIC and ASIC to disclose to MAS any information or document that MAS or ASIC has that relates to the body; and
- (d) written consents to the disclosure by MAS to ASIC and ASIC to MAS of any information or document that MAS or ASIC has that relates to the body. The consents must be in such form (if any) as ASIC specifies in writing.

**Schedule B**

1. The body must provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the Singaporean regulatory requirements if the financial service were provided in Singapore 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 capital markets services licence 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 may obtain from the Singaporean 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 MAS 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;



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- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and
- (b) provide written disclosure to all persons to whom the financial services are provided in this jurisdiction (before the financial services are provided) containing prominent statements to the following effect:
  - (i) the body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
  - (ii) the body is regulated by MAS under Singaporean 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*;

**capital markets services licence** means a capital markets services licence granted by MAS under section 86 of the SF Act;

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

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

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

**financial product advice** has the meaning given by section 766B of the Act;

**financial services law** has the meaning given by section 761A of the Act;

**MAS** means the Monetary Authority of Singapore;

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

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

**securities** has the meaning given by section 92 of the Act;

**SF Act** means the *Securities and Futures Act 2001* of Singapore;

**Singaporean 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 MAS; and

**wholesale client** has the meaning given in section 761G of the Act.

Dated this 28th day of November 2024



Signed by Jacqueline Cochrane

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 twenty-ninth day of November 2024

**Name of Scheme**

**ARSN**

NWQ FIDUCIARY FUND

606 556 049

PREMIUM INCOME FUND

090 687 577

CORPORATIONS ACT 2001  
Subsection 601CC(4)

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

Dated this twenty-ninth day of November 2024

**Name of Company**

**ARBN**

LIFEHOUSE PROJECT INC.

152 721 205

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 twenty-ninth day of November 2024

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

FMX TECHNOLOGY (SINGAPORE) PTE. LIMITED

653 463 024

VIRGIN MONEY UK PLC

609 948 281

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this twenty-ninth day of November 2024

**Name of Company**

**ARBN**

GRAIN CLEANING, LLC

608 518 243

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.

**A2B AUSTRALIA LIMITED** ACN 001 958 390 will change to a proprietary company limited by shares. The new name will be A2B AUSTRALIA PTY LTD ACN 001 958 390.

**MILLENNIUM SERVICES GROUP LIMITED** ACN 607 926 787 will change to a proprietary company limited by shares. The new name will be MILLENNIUM SERVICES GROUP PTY LTD ACN 607 926 787.

**NEXIA MELBOURNE CORPORATE PTY LTD** ACN 141 242 275 will change to a public company limited by shares. The new name will be FUND AUSTRALIA LTD ACN 141 242 275.

**TICNA PTY LTD** ACN 672 237 544 will change to a public company limited by shares. The new name will be TICNA LTD ACN 672 237 544.

**METALLICA MINERALS LIMITED** ACN 076 696 092 will change to a proprietary company limited by shares. The new name will be METALLICA MINERALS PTY LTD ACN 076 696 092.

**MOONLIGHT RESOURCES PTY. LTD.** ACN 678 095 273 will change to a public company limited by shares. The new name will be MOONLIGHT RESOURCES LTD ACN 678 095 273.

**SUN PROPERTY GROUP AUSTRALIA LIMITED** ACN 617 227 933 will change to a proprietary company limited by shares. The new name will be SUN PROPERTY GROUP AUSTRALIA PTY LTD ACN 617 227 933.

**VERO3 HOLDINGS PTY LTD** ACN 661 410 902 will change to a public company limited by shares. The new name will be VERO3 HOLDINGS LIMITED ACN 661 410 902.