



**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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24-0044

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 741(1)(a) – Exemption****Enabling legislation**

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

**Title**

2. This instrument is ASIC Instrument 24-0044.

**Commencement**

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

**Exemption**

4. Bendigo and Adelaide Bank Limited ACN 068 049 178 (*Company*) does not have to comply with subsection 734(2) of the Act.

**Where this instrument applies**

5. Subject to paragraph 6, this instrument applies to statements made by the Company to Securityholders, communicating:
  - (a) the fact that the Company is proposing to undertake the Offer;
  - (b) the brokers the Company has appointed (or expects to appoint) to assist the Company to manage the Offer;
  - (c) eligibility to participate in the Offer and other information relevant to participation in the Offer;
  - (d) information concerning factors that are likely to impact the Offer proceeding;
  - (e) information concerning impending announcements about the Offer;
  - (f) information about the structure of the Offer and offer periods under the Offer; and
  - (g) information about the timetable for the Offer, including any proposed updates to the timetable for the Offer.

**Conditions**

6. This instrument does not apply if, in communicating any of the information set out in paragraph 5, the Company communicates any advantages, benefits or merits of the Offer.

24-0044

**Cessation**

7. This instrument ceases to apply on the earlier of:
- (a) the date on which the Prospectus is lodged with ASIC; and
  - (b) 31 March 2024.

**Interpretation**

8. In this instrument:

*Converting Preference Shares 4* means the fully paid converting preference shares issued by the Company on 13 December 2017;

*Notes* means non-cumulative, convertible, perpetual, subordinated, unsecured notes to be issued by the Company under the Offer;

*Offer* means the proposed public offer of Notes under the Prospectus on or around February 2024;

*Prospectus* means the disclosure document proposed to be lodged by the Company with ASIC in respect of the Offer; and

*Securityholders* means the shareholders of the Company, the registered holders of perpetual, subordinated, unsecured notes in the Company and the registered holders of Converting Preference Shares 4.

Dated this 16<sup>th</sup> day of February 2024



Signed by Mario Brcc  
as a delegate of the Australian Securities and Investments Commission



ASIC

Australian Securities &amp; Investments Commission

24-0065

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

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

TO: Doug Kerr Insurance Consultants Pty. Ltd.  
ACN 078 679 071 ("the Licensee")  
128 Birdwood Street  
Parkdale VIC 3195

1. Pursuant to paragraph 91.5B(3)(d) of the Corporations Act 2001 (the Act), the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 246366 ("Licence") held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 1 February 2024

Signed 

Jedo Charles  
A delegate of the Australian Securities and Investments  
Commission



ASIC

Australian Securities &amp; Investments Commission

24-0068


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

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

TO: Onepath General Insurance Pty Limited  
ABN 56 072 892 365 ("the Licensee")  
118 Mount Street  
North Sydney NSW 2060

Pursuant to paragraph 91.5B(3)(d) of the Corporations Act 2001 (the Act), the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 288160 ("Licence") held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 13 February 2024

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments  
Commission

24-0074


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

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

TO: Everblu Capital Pty Ltd  
ACN 612 793 683 ("the Licensee")  
'AURORA PLACE' L 39 88 PHILLIP ST  
SYDNEY NSW 2000

1. Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001** (the Act), the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 499601 held by the Licensee, with effect from the date on which this notice is given to the Licensee.
2. Pursuant to section 915H of the Act, the Australian Financial Services Licence continues in effect while cancelled, as though the cancellation had not happened for the purposes of:
  - a. paragraph 912A(2)(c) of the Act, which requires the Licensee to maintain membership of the Australian Financial Complaints Authority scheme for no less than twelve months from the date the notice of cancellation of the Australian Financial Services Licence is given to the Licensee; and
  - b. section 912B of the Act, which requires the Licensee to maintain compensation arrangements for no less than twelve months from the date the notice of cancellation of the Australian Financial Services Licence is given to the Licensee. The arrangements must satisfy the requirements set out in regulation 7.6.02AAA of the Corporations Regulations 2001.

Dated 9 February 2024

Signed  .....

Gerard Mithen  
A delegate of the Australian Securities and Investments Commission


24-0076

**Australian Securities and Investments Commission  
Corporations Act 2001 Section 915B****Notice of Cancellation of an Australian Financial Services Licence**

TO: My Own Super Fund Pty Ltd  
ACN 109 062 660 ("the Licensee")  
SEQUOIA FINANCIAL GROUP LTD  
L 8 525 FLINDERS ST MELBOURNE VIC 3000

Pursuant to paragraph 915B(3)(d) of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Australian Financial Services Licence number 280072 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 14 February 2024

Signed  .....

Gerard Mithen  
a delegate of the Australian Securities and Investments Commission



Australian Securities  
and Investments Commission

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Level 7, 120 Collins Street  
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GPO Box 9827  
Brisbane QLD 4001

Tel: +61 1300 935 075

[www.asic.gov.au](http://www.asic.gov.au)

24-0077

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

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

TO: Clearview Life Nominees Pty Limited  
ACN 003 682 175 ("the Licensee")  
Level 15, 20 Bond 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 227683 held by the Licensee, with effect from the date on which this notice is given to the Licensee.

Dated 13 February 2024

Signed  .....

Jedo Charles  
A delegate of the Australian Securities and Investments  
Commission



**24-0078**

## NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001


Notice is given under section 915F of the *Corporations Act 2001* that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 31 January 2024.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****CORPORATIONS ACT 2001 SECTION 915B****NOTICE OF CANCELLATION OF AUSTRALIAN FINANCIAL SERVICES LICENCE**

To: Probis Financial Services Pty Ltd ACN 134 959 818

Under s915B(3) of the *Corporations Act 2001*, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 338241 held by Probis Financial Services Pty Ltd ACN 134 959 818.

Dated this 31<sup>st</sup> day of January 2024

Signed: 

Christine Croft  
Delegate of the Australian Securities and Investments Commission

24-0089

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 926A(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*.

**Title**

2. This instrument is ASIC Instrument 24-0089.

**Commencement**

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

**Exemption**

4. ASIC exempts Gresham House Asset Management Limited, a private limited company incorporated in England and Wales (registered company number 9447087) and registered with the Financial Conduct Authority, reference number 682776, (**the body**), from the requirement to hold an Australian financial services licence in the case referred to in Schedule A.

**Cessation**

5. The exemption in paragraph 4 ceases to have effect on the earlier of:
  - (a) the date specified in sub-paragraph 1(3) of Schedule 2 of the *ASIC Corporations (Repeal and Transitional) Instrument 2016/396*; or
  - (b) 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.

**Schedule A**

1. The exemption in paragraph 4 applies where all of the following apply:
  - (a) the body has a current Part 4A Permission;
  - (aa) the body is either a body corporate incorporated in the United Kingdom or a partnership formed in the United Kingdom;

24-0089

- (b) 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;
  - (c) the body's primary business is the provision of financial services;
  - (d) neither the body nor its Agent has been notified by ASIC that the body is excluded from relying on this instrument;
  - (e) 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
  - (f) 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:
- (a) providing financial product advice; or
  - (b) dealing in financial product;
- in respect of any of the following financial products:
- (c) eligible deposit products;
  - (d) derivatives;
  - (e) foreign exchange contracts;
  - (f) securities;
  - (g) debentures, stocks or bonds issued by a government;
  - (h) managed investment products; or

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- (i) 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 that paragraph 1(a) of Schedule A is satisfied that ASIC has stated in writing is adequate;
  - (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; and
    - (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; and
    - (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; and
    - (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 the FCA or ASIC, it will give or vary written consent and take all other practicable steps to enable and assist the FCA to disclose to ASIC and ASIC to disclose to the FCA any information or document that FCA or ASIC has that relates to the body; and
  - (d) written consents to the disclosure by the FCA to ASIC and ASIC to the FCA of any information or document that the FCA or ASIC has that relates to the body. The consents must be in such form (if any) as ASIC specifies in writing.

#### Schedule B

The body must:

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1. provide each of the financial services in this jurisdiction in a manner which would comply, so far as is possible, with the United Kingdom regulatory requirements if the financial service were provided in the United Kingdom in like circumstances; and
2. 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:
  - (a) 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
  - (b) each significant particular exemption or other relief which the body obtains from the United Kingdom regulatory requirements relevant to the financial services the body provides or intends to provide in this jurisdiction; and
  - (c) each action or investigation of the following kinds taken by the FCA, PRA or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
    - (i) significant enforcement action;
    - (ii) significant disciplinary action;
    - (iii) 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
3. 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:
  - (a) the body is exempt from the requirement to hold an Australian financial services licence under the Act in respect of the financial services; and
  - (b) as applicable:
    - (i) for a dual-regulated body - the body is authorised by the PRA and regulated by the FCA and PRA under United Kingdom laws, which differ from Australian laws;
    - (ii) otherwise – the body is authorised and regulated by the FCA under the United Kingdom’s laws, which differ from Australian laws; and
4. 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.

24-0089

**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*;

*appropriate regulator* means:

(a) for a dual -regulated body – both the PRA and the FCA;

(b) otherwise – the FCA;

*custodial or depository service* has the meaning given by section 9 of the Act;

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

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

*dual-regulated body* means a body whose regulated activities in the United Kingdom include a PRA-regulated activity within section 22A of the FSM Act;

*eligible deposit product* means any deposit taking facility that is not a deposit product as defined in 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;

*FCA* means the Financial Conduct Authority of the United Kingdom and, for the avoidance of doubt, includes the Financial Services Authority of the United Kingdom as it was previously known before 1 April 2013;

*FSM Act* means the Financial Services and Markets Act 2000 of the United Kingdom;

*foreign exchange contract* has the meaning given by section 761A of the Act;

*making a market* has the meaning given by section 9 of the Act;

*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 the FCA or PRA) which regulates financial services and which is established by or for the purposes of a foreign government or legislative body;

*Part 4A Permission* means a permission given under Part 4A of FSM Act or having effect as if so given under that Part;

*PRA* means the Prudential Regulation Authority of the United Kingdom;

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

*UK 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 FCA or PRA; and

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

Dated this 13<sup>th</sup> day of February 2024.



Signed by Nessa Foo

as a delegate of the Australian Securities and Investments Commission

24-0090

## NOTICE UNDER SECTION 915F OF THE CORPORATIONS ACT 2001

Notice is given under s915F of the Corporations Act 2001 that the Australian Securities and Investments Commission has taken the action set out in the Notice below, which action took effect on 14 February 2024.

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****CORPORATIONS ACT 2001 SECTION 915B****NOTICE OF CANCELLATION OF AUSTRALIAN FINANCIAL SERVICES LICENCE**

To: Valorton Capital Pty Ltd ACN 654 922 568

TAKE NOTICE that under s915B(3A) of the Corporations Act 2001, the Australian Securities and Investments Commission hereby cancels Australian financial services licence number 536802 held by Valorton Capital Pty Ltd ACN 654 922 568.

Dated this 12<sup>th</sup> day of February 2024

Signed:



Peter Komorowski  
Delegate of the Australian Securities and Investments Commission



24-0100

**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 paragraph 655A(1)(b) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 24-0100.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to SQM Australia Pty Ltd (ACN 621 414 659) (**SQM**), Hanrine Future Metals Pty Ltd (ACN 672 197 723) (**Hancock**) and SH Mining Pty Ltd (ACN 673 729 872) (**BidCo**) as if subsection 609(7) of the Act was modified or varied by:

- (a) omitting paragraph 609(7)(c) and replacing it with:

“(c) does not restrict disposal of the securities for more than 3 months and 25 days from the date when the agreement is entered into.”

**Where this instrument applies**

5. The declaration in paragraph 4 of this instrument applies:
  - (a) in relation to the deed entered into between SQM, Hancock, BidCo, Hancock Prospecting Pty Ltd (ACN 008 676 417) and Sociedad Quimica y Minera de Chile S.A. on 19 December 2023 (**Joint Bidding Deed**) in relation to the proposal under which BidCo seeks to acquire all of the shares in Azure Minerals Limited (ACN 106 346 918) (**Azure**) which SQM, Hancock and their associates do not already own by way of a scheme of arrangement under Part 5.1 of the Act or, in certain circumstances, a takeover bid under Chapter 6 of the Act;
  - (b) where the Joint Bidding Deed was disclosed to the market on the markets announcement platform operated by ASX Limited ACN 008 624 691 (**ASX**) in respect of Azure, on 19 December 2023; and
  - (c) where, by no later than 7.30pm (AEST) on the second business day after the date of this instrument, notice has been given by SQM, Hancock and

**24-0100**

BidCo to Azure for release on the ASX Market Announcements Platform, that explains the need for, and effect of, the relief contained in this instrument.

Dated this 16th day of February 2024



Signed by Mario Brce  
as a delegate of the Australian Securities and Investments Commission

24-0101

**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 declaration under paragraph 655A(1)(b) of the *Corporations Act 2001* (the Act).

**Title**

2. This instrument is ASIC Instrument 24-0101.

**Commencement**

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

**Declaration**

4. Chapter 6 of the Act applies to SH Mining Pty Ltd (ACN 673 729 872) (BidCo) as if paragraph 631(1)(b) of the Act were modified or varied as follows:
  - (a) in paragraph 631(1)(b) of the Act, omit the words “within 2 months after the proposal” and replace with “within 2 months and 21 days after the proposal”.

**Where this instrument applies**

5. The declaration in paragraph 4 of this instrument applies:
  - (a) in relation to the proposal under which BidCo seeks to acquire all of the shares in Azure Minerals Limited (ACN 106 346 918) (Azure) which SQM Australia Pty Ltd (ACN 621 414 659), Harrine Future Metals Pty Ltd (ACN 672 197 723) and their associates do not already own by way of a scheme of arrangement under Part 5.1 of the Act or, in certain circumstances, a takeover bid under Chapter 6 of the Act, that was publicly proposed by way of an announcement lodged with ASX Limited ACN 008 624 691 (ASX) or the market operated by ASX on 19 December 2023; and
  - (b) where within two business days of the date of this instrument, BidCo has given a notice to ASX that:
    - (i) is in a form that ASIC has stated in writing is acceptable to it;

24-0101

- (ii) provides an explanation of the need for, and the effect of, the declaration in paragraph 4 which includes a statement that the bidder's statement and offers under the bid will be incorporated into a Transaction Booklet;
- (iii) includes a statement to the effect that the fact that ASIC has granted this relief in connection to the proposed transactions should not be taken as a reflection of ASIC's views on any other aspect of the proposed transactions.

### Interpretation

6. In this instrument:

**Transaction Booklet** means the transaction booklet to be given to the shareholders of Azure that includes:

- (a) a notice of meeting for the purposes of item 7 of section 611 of the Act;
- (b) a bidder's statement and offer for the purposes of item 6 of subsection 633(1) of the Act;
- (c) a target's statement for the purposes of item 12 of subsection 633(1) of the Act; and
- (d) a notice and an explanatory statement for the purposes of subsections 411(1) and paragraph 412(1)(a) of the Act,

each, where the case requires, in connection to either the proposed bid or the proposed scheme of arrangement by Azure under Pt 5.1 of the Act as publicly proposed by Azure on or about 19 December 2023.

Dated this 16<sup>th</sup> day of February 2024



Signed by Mario Brce  
as a delegate of the Australian Securities and Investments Commission

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 sixteenth day of February 2024

**Name of Company**

**ARBN**

IB VOGT GMBH

614 283 993

WINPET MEDIKAL TICARET VE SANAYI LIMITED SIRKETI

654 907 927

CORPORATIONS ACT 2001  
Section 601CL(5)

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

Dated this sixteenth day of February 2024

**Name of Company**

**ARBN**

NEXTGEN CLEARING LIMITED

628 575 093

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.

**GREEN POWER MINERALS PTY LTD**

ACN 665 307 433 will change to a public company limited by shares. The new name will be SUN SILVER LIMITED ACN 665 307 433.

**TALON ENERGY LTD** ACN 153 229 086 will change to a proprietary company limited by shares. The new name will be TALON ENERGY PTY LTD ACN 153 229 086.

**ZINC MINES OF IRELAND LIMITED**

ACN 601 744 361 will change to a proprietary company limited by shares. The new name will be ZINC MINES OF IRELAND PTY LTD ACN 601 744 361.

**SURF LAKES HOLDINGS LTD** ACN 613 372 955

will change to a proprietary company limited by shares. The new name will be SURF LAKES HOLDINGS PTY LTD ACN 613 372 955.

**UTOPIAN VIRTUAL WORLD PTY LTD**

ACN 665 130 503 will change to a public company limited by shares. The new name will be UTOPIAN VIRTUAL WORLD LIMITED ACN 665 130 503.