



# Notice that a product in a PDS relating to a CCIV sub-fund has ceased to be available

Use this form to notify ASIC that a financial product to which a Product Disclosure Statement (PDS) relates is no longer available to be recommended or offered to new clients in a recommendation, issue or sale situation. This form may only be used where the PDS relates to a CCIV sub-fund.

## Related Forms

Form 5288 *PDS in-use notice in relation to a CCIV sub-fund*

Form 5289 *Notice of change to fees and charges in a PDS in relation to a CCIV sub-fund*

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

## Lodgement details

### Who should ASIC contact if there is a query about this form?

Firm/organisation

Contact name/position description

ASIC registered agent number (if applicable)

Telephone number

Postal address or DX address

## 1 General information

**Responsible person** (an individual or a body corporate who, or on whose behalf, the Statement is required to be prepared. In most cases this will be the CCIV as the body corporate issuing the product.)

1.1

Name of responsible person

1.2

ABN of responsible person

1.3

ACN of responsible person (if applicable)

The responsible person shown at 1.1 will be liable for the payment of any fees for this form. Refer to the Guide for fee information.

1.4

AFS licence number (if applicable)

1.5

### Contact person

Provide the following details for the contact person to whom ASIC should direct all questions and correspondence regarding the PDS.

1.5.1

Name (First given name, family name)

1.5.2

Capacity

Issuer (including officers and staff)

External service provider

Other (please describe)

1.5.3

Email address (Not mandatory)

If email address provided, can ASIC use this email address to deliver correspondence relating to this PDS?

Yes

No

1.5.4

Telephone number

## 1 Continued... General information

1.5.5	Facsimile number <input type="text"/>
	If fax number provided, can ASIC use this fax number to deliver correspondence relating to this PDS? <input type="checkbox"/> Yes <input type="checkbox"/> No
1.5.6	Postal address <input type="text"/> <input type="text"/>
1.5.7	DX address (not mandatory) <input type="text"/>

## 2 Original PDS details

2.1	Name of PDS (cannot exceed 100 characters) <input type="text"/>
2.2	Reference number to identify the original PDS <input type="text"/> <b>Note:</b> This reference number needs to be identical to the reference number (or ASIC document number) provided on the in-use notice for the original PDS. The ASIC document number is the identifier ASIC allocates to a document recorded on the corporate register Date the most original PDS was notified to ASIC <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> [D D] [M M] [Y Y]
2.3	Have all financial products in the PDS ceased to be available to be recommended or offered to new clients in a recommendation, issue or sale situation? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, go to 2.5. If No, go to 2.4
2.4	Name of the financial product(s) which have ceased to be available. <input type="text"/>
2.5	Date the financial product(s) ceased to be available <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> [D D] [M M] [Y Y]
2.6	Have new products been added to the PDS that have not been included in a previous notice? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, go to 2.7. If No, go to the Signature section. <b>Product details</b> If more than one product has been added to the PDS, complete 2.7.1 to 2.7.4 for each additional product as a separate Annexure. Shorter PDSs can only have one product.
2.7	
2.7.1	Name of financial product (cannot exceed 100 characters) <input type="text"/>

## 2 Continued... Original PDS details

- 2.7.2 Type of financial product  
CCIV sub-fund
- Commodities
  - Crypto assets
  - Derivatives
  - Direct real property
  - Film
  - Financial assets
  - Mortgages
  - Primary production
  - Other

2.7.3 If the product is a CCIV sub-fund, provide the ARFN

### Signature

This form must be signed by a director or secretary of the corporate director of the CCIV.

I certify that the information in this form is true and complete.

Name of person signing

Capacity

- Director of the corporate director
- Company secretary of the corporate director

Signature

Date signed

/   /    
[D] [D] [M] [M] [Y] [Y]

### Lodgement

Send completed and signed forms to:  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841

#### For more information

Web [www.asic.gov.au](http://www.asic.gov.au)  
Need help? [www.asic.gov.au/question](http://www.asic.gov.au/question)  
Telephone 1300 300 630

# Guide:

## Notice that a product in a PDS in relation to a CCIV sub-fund has ceased to be available

Use this form to notify ASIC that a financial product to which a Product Disclosure Statement (PDS) relates is no longer available to be recommended or offered to new clients in a recommendation, issue or sale situation. This form may only be used where the PDS relates to a CCIV sub-fund.

### Related Forms

Form 5288 *PDS in-use notice in relation to a CCIV sub-fund*

Form 5289 *Notice of change to fees and charges in a PDS in relation to a CCIV sub-fund*

**This guide is intended to assist you in completing and lodging the Form 5290, but is not part of the form. The information is intended as a guide only. Please consult your industry body or solicitor for further advice .**

Statutory references are to the Corporations Act 2001 (eg, s1015D) and the Corporations Regulations 2001 (eg regulation 7.9.15DA ).

<b>Signature</b>	This form must be signed by a director or secretary of the corporate director of the CCIV.
<b>Lodgement period</b>	As soon as practicable, and in any event within 5 business days after the financial product to which the statement relates ceases to be available to be recommended or offered to new clients in a recommendation, issue or sale situation.
<b>Lodgement fees</b>	There is no lodgement fee for this form. Late fees will apply.
<b>Late fees</b>	<p>In all cases, late fees will apply if the document is lodged outside the prescribed period.</p> <p>For information on fees refer to <a href="http://www.asic.gov.au/forms">www.asic.gov.au/forms</a>.</p> <p>A form is not considered lodged until it is received and accepted by ASIC as complying with s1274(8). A receipt will not be issued unless requested.</p>
<b>When you must tell us about a PDS</b>	<p>Section 1015D(2)(c) requires you to lodge a notice (Form 5290 <i>Notice that a product in a PDS in relation to a CCIV sub-fund has ceased to be available</i>) with ASIC advising that a financial product to which the PDS (including any Supplementary PDS) relates ceases to be available to be recommended or offered to new clients in a recommendation, issue or sale situation.</p> <p>This notification requirement does not apply to a PDS (or Supplementary PDS), a copy of which is required by s1015B to be lodged with ASIC (see s1015D(1)).</p>
<b>Responsible person</b>	<p>This notice must be lodged by the person nominated as the responsible person in the Form 5290 <i>Notice that a product in a PDS in relation to a CCIV sub-fund has ceased to be available</i> (see s1013A(3)).</p> <p>Lodging a notice that a product in the PDS has ceased to be available does not alter the effect of s1015D(3). The responsible person for the PDS (including Supplementary PDSs) must still keep a copy of the PDS for 7 years after the date of the PDS (see s1015D(3)) and during that period must:</p> <ul style="list-style-type: none"><li>• make a copy of it available to ASIC if asked to do so by ASIC; and</li><li>• comply with any reasonable request from any person for a copy (see s1015D(4)).</li></ul>
<b>Why do we collect this information?</b>	<p>Information about the original PDS and its reference number assists ASIC identify products that have been ceased. Please use the same name for these financial products as used in earlier 5288 and 5289 notices for the PDS.</p> <p>The Form 5290 seeks information about ongoing products in the PDS, as ASIC may not know about them if they were added by way of a supplementary PDS and no Form 5289 was lodged (because no changes to fees and costs were made). This information enables ASIC to monitor disclosure for financial products which are in the market.</p>

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**How to provide additional information****Annexures**

If there is insufficient space in any section of the form, you may submit annexures as part of this lodgement.

To make any annexure conform to the regulations, you must

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the responsible person's name and ACN or ABN
3. number the pages consecutively
4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5. mark the annexure with an identifying letter or symbol e.g. a,b,c or 1,2,3 etc.
6. endorse the annexure with the words:  
This annexure (mark) of (number) pages referred to in form (form number and title)
7. sign and date the annexure

The annexure must be signed by the same person(s) who signed the form.

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**Privacy**

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy ([www.asic.gov.au/privacy](http://www.asic.gov.au/privacy)) for information about how we handle your personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.

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**Lodgement**

Send completed and signed forms to:  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841

**For more information**

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Telephone 1300 300 630