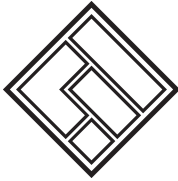


ASIC registered agent number \_\_\_\_\_  
**lodging party or agent name** \_\_\_\_\_  
 office, level, building name or PO Box no \_\_\_\_\_  
 street number & name \_\_\_\_\_  
 suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_  
 telephone ( ) \_\_\_\_\_  
 facsimile ( ) \_\_\_\_\_  
 DX number \_\_\_\_\_ suburb/city \_\_\_\_\_

	ASS. <input type="checkbox"/>	REQ-A <input type="checkbox"/>
	CASH. <input type="checkbox"/>	REQ-P <input type="checkbox"/>
	PROC. <input type="checkbox"/>	



Australian Securities & Investments Commission

Notification of  
**commencement or completion of  
 winding up of a registered scheme**

form **5138**  
 Corporations Act 2001  
**601NA, 601NB, 601NC, 601ND,  
 601NE**  
 Regulation **5C.9.01**

registered scheme name \_\_\_\_\_  
 ARSN \_\_\_\_\_  
 responsible entity name \_\_\_\_\_  
 ACN \_\_\_\_\_

**Details of winding up**

commencement

completion

If winding up completed, attach to this form in an annexure a copy of the scheme's audited financial report & auditor's report, prepared for the period since the date of the last financial report & completion of winding up

(tick boxes which apply)

<input type="checkbox"/> The winding up is required by the scheme's constitution	date of commencement (d/m/y) / /	date of completion (d/m/y) / /
<input type="checkbox"/> By a direction of the members under an extraordinary resolution	date of resolution (d/m/y) / /	date of completion (d/m/y) / /
<input type="checkbox"/> Scheme's purpose is accomplished or cannot be accomplished	date of commencement (d/m/y) / /	date of completion (d/m/y) / /
<input type="checkbox"/> An order was made by the Court	date of court order (d/m/y) / /	date of completion (d/m/y) / /

**Court**

Federal Court of Australia (give state or territory registry)  
 Family Court of Australia (give state or territory registry)  
 Supreme Court of (give state or territory)  
 proceeding-matter number \_\_\_\_\_ year \_\_\_\_\_

**Details of the applicant  
 (other than a creditor)  
 for court order**

(family & given names or corporation name) If a corporation give A.C.N. or A.R.B.N. also.

name \_\_\_\_\_  
 unit or office, floor, building name \_\_\_\_\_  
 street number & name \_\_\_\_\_  
 suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_

**Signature**

This form must be signed by a director or secretary of the responsible entity.

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

print name \_\_\_\_\_ capacity \_\_\_\_\_  
 sign here \_\_\_\_\_ date / /

Small Business (less than 20 employees), please provide an estimate of the time taken to complete this form

**Include**

- The time actually spent reading the instructions, working on the question and obtaining the information
- The time spent by all employees in collecting and providing this information

hrs \_\_\_\_\_ mins \_\_\_\_\_

# GUIDE **This guide does not form part of the prescribed form and is included by ASIC to assist you in completing and lodging form 5138.**

<b>Signature</b>	This form must be signed by a director or secretary of the responsible entity.		
<b>Lodging period</b>	14 days from the commencement of winding up; and 14 days from the completion of the winding up. (Please note that a Form 5138 is required to be lodged both upon commencement and at completion of winding up).		
<b>Lodging fee</b>	\$33 if lodged within the prescribed lodging period. Late fees will apply thereafter	1 month	\$65
		More than 1 month	\$270
	A receipt will not be issued unless requested.		
<b>Other forms to be completed</b>	<p><i>s601NC</i> i) If the winding up is because the scheme's purpose has been accomplished or cannot be accomplished, the responsible entity must give notice in writing to the members of the scheme and ASIC (ASCOT Form 5118), explaining the proposal to wind up the scheme, including explaining how the scheme's purpose has been accomplished or why that purpose cannot be accomplished.</p> <p>The notice should also include information of the members' rights to take action under Div 1 of Part 2G.4 of the Corporations Act 2001 for the calling of a members' meeting to consider the proposed winding up of the scheme and vote on any extraordinary resolution members propose about the winding up of the scheme. The notice must inform the members that the responsible entity is permitted to wind up the scheme unless a meeting is called to consider the proposed winding up of the scheme within 28 days of the responsible entity giving the notice to the members.</p> <p><i>s601ND</i> ii) If the winding up is due to an issue of a Court Order, an office copy of the Court Order must be lodged within one (1) month of the order being made together with the cover sheet Form 105.</p>		

<b>Additional information</b>	This form is required to be lodged under Regulation 5C.9.01 telling ASIC that the winding up of the scheme has commenced, or been completed, whichever is the case:		
	a) by the scheme's constitution ( <i>section 601NA</i> )		
	b) at the directions of members under an extraordinary resolution ( <i>section 601NB</i> )		
	c) because the scheme's purpose has been accomplished or cannot be accomplished ( <i>section 601NC</i> )		
	d) is ordered by the Court ( <i>section 601ND</i> )		

<b>Send to</b>	Australian Securities & Investments Commission PO Box 4000 Gippsland Mail Centre VIC 3841
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<b>Annexures</b>	<p>To make any annexure conform to the regulations, you must</p> <ol style="list-style-type: none"> <li>1 use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides</li> <li>2 show the corporation name and A.C.N. or A.R.B.N.</li> <li>3 number the pages consecutively</li> <li>4 print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied</li> <li>5 identify the annexure with a mark such as A, B, C, etc</li> <li>6 endorse the annexure with the words: <i>This is annexure (mark) of (number) pages referred to in form (form number and title)</i></li> <li>7 sign and date the annexure</li> </ol> <p>The annexure must be signed by the same person(s) who signed the form.</p>
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