



**Australian Government**

**Takeovers Panel**

# MEDIA RELEASE

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No: TP23/22

Wednesday, 31 May 2023

## **A S P Aluminium Holdings Pty Ltd 02R - Panel Receives Review Application and Acting President Makes Interim Orders**

The Panel has received an application from Villefranche Investments Pty Limited as trustee of the Gates Family Trust seeking a review of the Panel's decision in *A S P Aluminium Holdings Pty Ltd* (see [TP23/21](#)).

The Acting President of the Panel has consented to the application for review under section 657EA(2) of the *Corporations Act 2001* (Cth) and has made interim orders pending the review to maintain the status quo until the Panel can consider the review application in detail.

The interim orders state (in summary) that:

- without the consent of the President or the review Panel, certain persons referred to in the Panel application and their associates must not acquire any shares in ASP and ASP must not register any transfer of shares in ASP and
- ASP must communicate to all shareholders of ASP the effect of the interim orders.

The interim orders have effect until the earliest of further order of the President or the review Panel, determination of the review proceedings or 2 months from the date of the interim orders.

A copy of the interim orders is attached.

A review Panel has not been appointed at this stage and no decision has been made whether to conduct proceedings. The Panel makes no comment on the merits of the application.

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## **ANNEXURE A**

# **CORPORATIONS ACT SECTION 657E INTERIM ORDERS**

### **A S P ALUMINIUM HOLDINGS PTY LTD 02R**

Villefranche Investments Pty Limited as trustee of the Gates Family Trust has obtained the Acting President's consent to file an application for a review of the Panel's decision in *A S P Aluminium Holdings Pty Ltd* (which it has informed the Panel it intends to do by no later than 11.59pm on Tuesday 30 May 2023), and has requested interim orders pending the review.

The Acting President ORDERS:

1. Without the consent of the President or, once appointed, the review Panel,
  - (a) the Relevant Persons and their associates must not acquire any shares in ASP and
  - (b) ASP must not register any transfer of shares in ASP.
2. ASP must as soon as practicable and by no later than 5pm (Melbourne time) on Wednesday 31 May 2023 communicate to all shareholders of ASP the effect of these interim orders.
3. In these interim orders the following terms have their corresponding meaning:

<b>ASP</b>	A S P Aluminium Holdings Pty Ltd
<b>ASP Staff Holdings</b>	ASP Staff Holdings Pty Limited as trustee for the ASP Employee Share Trust
<b>Relevant Persons</b>	ASP, ASP Staff Holdings, Ms Lolita Younes, Mr Paul Nakhle, Mr Louis Hanna, Lolita Investments Pty Ltd, Lalspec Pty Ltd, Youla Holdings Pty Ltd, Michael Three Pty Ltd and Michael Four Pty Ltd

4. These interim orders have effect from midnight on Tuesday 30 May 2023 if, and only if, a review application is lodged no later than 11.59pm on Tuesday 30 May 2023 until the earliest of:
- (i) further order of the President or, once appointed, the review Panel
  - (ii) the determination of the proceedings and
  - (iii) 2 months from the date of these interim orders.

**Tania Mattei**  
**General Counsel**  
**with authority of Richard Hunt**  
**Acting President**  
**Dated 30 May 2023**