



Financial Services Guide

Issued 1 September 2015

NOVUS CAPITAL LIMITED
ABN 32 006 711 995
Australian Financial Services Licence No. 238168

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Issue Date

This Financial Services Guide is dated 1 September 2015 and replaces all previous versions.

About this Financial Services Guide

This Financial Services Guide ("FSG") is issued by Novus Capital Limited (throughout this document referred to as "Novus Capital", "Novus", "us", "we" or "our") and is designed to assist clients in deciding whether to use any of the financial services offered by us. It is an important document which tells you about the financial services we offer so that you can make an informed decision on whether to use our services. The FSG provides you with information about how Novus Capital and our Private Client Advisers (who are Authorised Representatives of Novus Capital and who are referred to throughout this document as "Adviser/s") will provide financial services to our clients. It provides information about the costs of our advisory services and how we remunerate our Advisers, details about our privacy policy, how you can contact us, and what to do if you have a complaint about our services. This FSG also includes important risk information.

Novus Capital authorises the distribution of this FSG by your Adviser. Your Adviser is authorised to provide you with advice under our Australian Financial Services Licence 238 168. As the Licensee we are responsible for the advice you receive from your Adviser.

This FSG contains information on the financial services we offer and provide. It does not take into account your financial situation, needs or objectives. You should seek advice before making any investment decision and then consider that advice having regard to your particular circumstances.

Who we are and who will be your adviser

Novus Capital is an independent investment and financial services firm, with extensive experience in servicing the needs of both private and corporate clients. We specialise in the provision of share trading in both domestic and international securities, and in the provision of corporate advisory, including capital raising and mergers and acquisitions for our corporate clients.

Novus Capital has offices across Australia, including in New South Wales, Victoria, Queensland, and Western Australia.

As part of our commitment to ensure that each client has an effective relationship with Novus Capital, we encourage our clients to select one of our Advisers as their principal point of contact within Novus Capital. The specific details about your selected adviser including their authorisations and their remuneration are set out in the *Your Adviser Schedule* provided to you with this FSG.

Important Documents you may receive from us

Statement of Advice

If you choose to become a client of Novus Capital and we provide you with personal advice that takes into account your financial situation, needs and objectives, we will provide you with a Statement of Advice ("SoA"). The SoA will set out your relevant personal circumstances that you have disclosed to us, our advice to you including the basis upon which we have made our recommendations, details of any commissions, fees or other benefits our representatives and/or associates may receive. We will also include details of any matter that might reasonably be expected to be capable of influencing us in providing our advice to you.

If you maintain an advice relationship with us, then generally we will not provide an SoA for further advice situations unless there have been significant changes to either your personal circumstances or the basis of the advice since your last SOA was provided.

However if you advise us of changed personal circumstances or we expand upon or amend our earlier advice we may provide you with a new or supplementary SoA.

Product Disclosure Statement or Prospectus

If we recommend a particular financial product to you (other than securities or derivatives traded on a licensed market) we may also provide you with a Product Disclosure Statement ("PDS") or a Prospectus prepared by the relevant financial product issuer. It is important that you read and understand all of the information provided in either the PDS or the Prospectus to ensure you are able to make an informed decision on whether or not to acquire the product.

Third Party Service Provider documents

Where a third party provides financial services to you in association with Novus Capital (such as the providers of execution, clearing and settlement services) on their behalf, we will provide you with the various documents required in order to provide you with the services.

These documents may include an FSG, agreements relating to use of their services or ASX specific products, a Derivatives PDS (where you wish to deal in ASX Exchange Traded Options) and any ASX materials relating to those products.

About our Services

Our Australian Financial Services Licence authorisations

Our Australian Financial Services Licence (AFSL No. 238168) authorises us to provide clients with advice on, and deal in, the following financial products:

- Securities;
- Derivatives;
- Government debentures and bonds;
- Deposit products;
- Interests in Managed Investment Schemes;
- Managed Discretionary Account services;
- Retirement Savings Accounts;
- Superannuation;
- Life and risk insurance products; and
- Margin lending products and facilities.

Novus Capital is also authorised to underwrite issues of securities and interests in Managed Investment Schemes.

In addition to the financial services we provide, associated financial services are likely to be provided to you by one or more financial service providers (such as the providers of execution, clearing and settlement services). We will provide you with these service providers' documents (e.g. their Financial Services Guides) relating to the services they will be providing, even though your market-related instructions will be provided through Novus Capital.

Financial services provided by your Private Client Adviser

Your Private Client Adviser can provide financial services as agreed with you at the time of establishing an account with us, or as subsequently agreed. The services they provide may cover all or some of those listed in the authorisation section above. The types of services may be:

- Personal advice relating to dealing in Australian Securities and Derivatives which are Exchange Traded Options and Warrants, where that advice takes into consideration your personal financial situation, needs and objectives;
- General advice concerning any financial products that Novus Capital is authorised to advise on or deal in and related information;
- Execution only services relating to dealing in Australian Securities and Derivatives which are Exchange Traded Options and Warrants, where no advice or general advice only is provided;
- Advice and dealing in respect to Managed Investments;
- Specific product recommendations in respect of Basic Deposit Products;
- Personal advice on Investment Strategies;
- Access to research on a range of listed Securities; and
- Advice and dealing in respect of securities offered as part of a Capital Raising Process (e.g. Initial Public Offerings and Placements).

Your Private Client Adviser may also be authorised to provide Managed Discretionary Accounts (“MDA”) services, or can refer you to a Novus Capital adviser with that authorisation.

In all instances, other than where an MDA is utilised, all dealing conducted for you as a Novus Capital client will require your instructions to proceed before each transaction is undertaken on your behalf.

Novus Capital acts on your behalf when financial services are provided by your adviser.

How we provide our services

If you are using our services for the first time, you will need to complete an account opening form and verify your identity.

Personal Advice services

As a retail client, if you require us to provide personal financial product advice (“personal advice”) you will be asked to complete a Client Profile form to provide your adviser with details of your particular financial situation, needs and investment objectives.

Your adviser will then conduct an assessment of your relevant personal circumstances and formulate investment recommendations that in their view will be suitable for you, having taken into consideration your needs and financial circumstances.

It is important that the information you provide to your adviser about your relevant personal circumstances (including your particular financial situation, needs and investment objectives) is accurate, complete and up-to-date.

You are not under an obligation to provide this information to us. In those circumstances however, our advice to you will be limited, and we are required to warn you about the possible consequences of us not having your full personal information.

Having formulated appropriate recommendations for you, usually in consultation with you, your adviser will then provide you with an initial written SoA. The SoA will set out your relevant personal circumstances that you have disclosed to us, our advice to you including the basis upon which we have made our recommendations, details of any commissions, fees or other benefits or association relating to that advice, and disclosure of any conflicts of interest and any risks associated with the advice we have provided to you.

It is also important to bear in mind that your financial situation, particular needs and investment objectives can change. When a change in your circumstances occurs, we invite you to convey your changed circumstances to your adviser as soon as possible.

A fresh SoA will usually be provided whenever we provide any advice to you which takes into account a change in your financial situation, needs or objectives about which we become aware.

We may also provide personal advice in respect of a particular transaction which is outside the scope of advice previously provided in a SoA. In those circumstances a Statement of Additional Advice ("SoAA") will usually be provided.

Where further advice is provided which is within the scope of advice previously given in a SoA, we will retain a record of that further advice. Where we do not give you that further advice in writing you may request a written record of that further advice at any time up to 7 years from the date the advice was given by contacting your adviser or Novus Capital.

Should we provide advice recommending that you consider acquiring a financial product (other than securities traded on a licensed market) we may also have to provide you with a PDS or Prospectus. Any PDS or Prospectus provided should always be considered by you before making an investment decision.

General Advice and Execution Only services

There may be times we offer you general advice and this may require us to provide you with execution only services. It is important that you understand that general financial advice does not relate specifically to you and therefore may not be appropriate to your particular financial needs, objectives and financial circumstances. You need to take this into account before deciding whether or not to act. When we or your adviser provide you with general advice we or they are required to issue a general advice warning.

Execution only services will also require you to complete an account opening form and verify your identity. We will then execute any dealing instructions that you provide to us from time to time.

When we or your adviser provide you with general advice we or they are required to issue a general advice warning to you.

Managed Discretionary Account

A managed discretionary account ("MDA") is an arrangement whereby you authorise us to operate your account. Under an MDA service, the MDA (in this case Novus Capital) has the discretion to invest an MDA client's funds in financial products, in accordance with an agreed investment program, without prior reference to the client for each transaction undertaken. Investments acquired under the MDA service are managed as a discretionary portfolio belonging to the client.

This service provides you with the opportunity to invest individually whilst enjoying the benefits of a managed portfolio where we do all the stock selection and dealing for you.

The Novus Capital MDA consists of a number of discrete investment programs managed by those of our advisers with the authority to operate an MDA. The MDA has some of the characteristics of a managed investment but the securities remain registered in your name and you may withdraw your portfolio from the MDA program at any time you wish. However whilst you remain in the MDA program you give Novus the authority to trade your portfolio at its discretion.

The MDA is offered primarily for clients who want the flexibility and cost efficiencies of running their own portfolio of stocks but who are time poor, or do not want the day to day responsibility of monitoring and making trading decisions, or feel they do not have the expertise to manage their own portfolio.

The "MDA Agreement" with a retail client will include an Investment Program that complies with Division 3 of Part 7.7 of the *Corporations Act 2001* (concerning Statement of Advice).

There are significant risks associated with entering into an MDA Agreement and you will not be in control of the day to day investment decisions in relation to the account, and will be bound by Novus Capital's trading decisions.

Managed discretionary account service arrangements are only suitable for clients who understand financial markets and the risks associated with trading in these markets. It is therefore important that you obtain your own independent professional advice, prior to opening an MDA Account.

How to provide instructions to us and your obligations

We are able to accept your order instructions in person, by telephone, email or facsimile. It is important that you check and confirm with us that orders sent by facsimile or email have in fact been received by us. On our part we will acknowledge all instructions received via the same means.

You will receive transaction confirmations in respect of instructions that have been executed. It is important that you review any transaction-related confirmation or statement that you receive immediately upon receipt to ensure accuracy, and that you notify us as soon as is practicable of any discrepancies so that we can take immediate corrective action.

It is also important to note that we have an obligation not to enter any orders into the market which may interfere with the market's integrity, i.e. the order may have a manipulative effect, or may be likely to leave the market misinformed. As such, we may from time to time not accept orders from you which we believe may interfere with the market's integrity.

Information we need from you

Depending on the type of service being sought, we may ask you to provide certain personal information to your adviser, either in writing or verbally. We collect your personal information to ensure that we are able to provide you with the products and services most appropriate to your needs. This may involve quite a detailed process of both qualitative and quantitative data collection. Please ensure that your adviser becomes aware of any material changes that may be relevant and may affect your circumstances, to ensure that your advice is appropriate. We remain committed to safeguarding your privacy and for further information on our Privacy Policy please refer to www.novuscapital.com.au.

Information we retain about our clients

We maintain a record of your personal profile which may contain details of your objectives, financial situation and needs. We maintain records of any recommendations made to you, together

with summaries of meetings and transactions. All these records are our property and must be retained for production to the regulatory authorities upon their request.

Possible consequences of not providing this information

You are of course at liberty to decline to provide some or all of this information, but if you do not provide it, any recommendations we make may not be appropriate to your needs and objectives. In certain cases, your failure to provide information may place us in a position where we cannot provide any advice or any financial services to you.

As a financial service provider, we have an obligation under the *Anti-Money Laundering and Counter Terrorism Finance Act* to verify your identity and the source of any funds. This means that we will ask you to present identification documents such as passports and drivers licences. We will also securely retain copies of this information.

Remuneration for our services (excluding MDA services)

Our basic form of remuneration is commission earned from the brokerage you pay. The brokerage rate charged will be agreed with your adviser and depend upon the type and level of service required and provided, and the size and frequency of transactions. It is important that you discuss brokerage rates with your adviser. In this document all charges for services provided to you by Novus Capital and its advisers are quoted as being exclusive of GST.

The brokerage rate for each purchase or sale of Australian listed securities and Exchange Traded Options will be negotiated directly with your Novus Capital adviser and will be the greater of up to \$135 and 2.5% of the transaction value (for Australian listed securities) or the trade value (for an Exchange Traded Options contract). These charges are quoted excluding GST of 10%; this will be added to the relevant charge. For example, on a transaction for Australian listed securities with a transaction value of \$20,000, and a brokerage rate of 1%, the total charges would be \$220 (\$200 brokerage + \$20 GST).

On Exchange Traded Options, the ASX imposes clearing charges per options contract, and a fee to exercise each contract. At the date of issue of this FSG, the clearing charge is \$0.13 to buy or sell each options contract, and an exercise fee of \$0.05 is charged for each options contract exercised. These charges are quoted excluding GST of 10%; this will be added to the relevant charge. The ASX fees are additional to the brokerage charged by Novus, and are disclosed separately for each transaction. For example, at a brokerage rate of 1%, the charges to buy 20 options contracts with a trade value of \$8900 would total \$100.76 (brokerage of \$89 + \$8.90 GST + \$ 2.60 ASX clearing fees + \$0.26 GST)

Novus Capital may receive commission (including trailing commissions) on:

- a) funds invested in a cash management account in your name maintained through the execution, clearing and settlement service provider used by Novus Capital (this commission may be up to 0.7% p.a. on the funds invested); and
- b) margin lending accounts operated by you (this commission may be up to 1.5% p.a. on the funds invested).

Your adviser will be remunerated on a commission basis for the services provided to you. Additionally, Novus Capital's provider of execution, clearing and settlement services will charge Novus Capital for the provision of such services. Your adviser's remuneration and the charges for execution, clearing and settlement services are included in the brokerage discussed above.

Your adviser will be paid a commission of up to 80% on both the brokerage charged to you and any commissions Novus Capital receives on funds in cash management accounts or on margin

lending accounts relating to you, after deducting the relevant execution, clearing and settlement charges. Your adviser's commission arrangements are detailed in the *Your Adviser Schedule* provided to you with this FSG.

When personal advice is provided, the amount or a description of the commission your adviser will earn will be set out in the SoA or SoAA. The exact amount of the charge for each transaction will be advised to you in writing.

Novus Capital is entitled to retain any interest which is earned on client money held by Novus Capital in a segregated account maintained with a bank pursuant to the *Corporations Act (2001)*. The rate of interest is determined by that bank.

In the event that you take up a subscription in an initial public offering or new issue introduced to you by Novus Capital, Novus Capital will normally receive a commission from the company that issues the securities. This fee will be disclosed in the documentation relating to the issue. The fee payable to your adviser will normally be an amount of up to 80% of the fee Novus receives, on funds raised by the efforts of your adviser. In certain circumstances, the percentage paid to your adviser may exceed this figure, and where applicable, will be disclosed in the *Your Adviser Schedule* of the adviser.

As noted above, in providing services to you, associated financial services are likely to be provided to you by one or more financial service providers (such as the providers of execution, clearing and settlement services). The FSG provided by that financial service provider will set out any additional charges which may be made by that financial service provider.

Please note that you are obliged to settle transactions by the time specified by the market provider, either by the delivery of payment or securities. The providers of execution, clearing and settlement services can impose fail fees and interest charges. Failure to effect settlement on time could result in fail fees and charges being imposed.

In addition, failure to pay for purchased securities by the specified settlement date may result in interest being charged on the outstanding balance.

Important MDA Information

The MDA Agreement

If you choose to use our MDA service we will enter into a formal MDA agreement with you. This MDA Agreement is a contract prepared in accordance with the requirements of the *Corporations Act (2001)* and ASIC CO 04/194 which sets out:

- the MDA investment program;
- the nature and scope of the discretions we are authorised and required to exercise, and any investment strategy that is to be applied in exercising those discretions;
- any significant risks associated with our MDA contract and service;
- the basis on which we consider our MDA contract and service is suitable for you;
- that our MDA may not be suitable for you, if you have provided limited or inaccurate information regarding your relevant personal circumstances, and may cease to be suitable for you if your relevant personal circumstances change; and
- warnings about any applicable limitations relating to our MDA contract, for you to consider before signing the MDA Agreement.

Risks associated with using an MDA service

There are significant risks associated with using an MDA service.

The first element of risk to consider is that, by entering into an MDA contract, you are giving your adviser the authority to take action on your investment portfolio (e.g. buy, sell or hold specific financial products) without prior reference to you for each action. It should, however, be noted that those actions will be within an overall investment strategy ("investment program") that will have been discussed and agreed with you. Considering this risk, the decision to give full or partial control of your investment portfolio (and the related decisions) to your adviser is a most important one.

The second element of risk is investment risk. Whilst it is your Novus Capital adviser's aim to return you an overall profit on your account, investments are subject to a number of risks, including that the price of a financial product may fall as well as rise and that sales may result in losses as well as profits. A positive return on your MDA investments and the capital value of your investment portfolio cannot be guaranteed.

The third element of risk is transaction risk. Transactions conducted on your account will also incur transaction costs and may also result in unforeseen tax (including income and capital gains) consequences. The risks associated with any particular product traded as part of an MDA service are set out in the relevant PDS or Prospectus for that particular product, where applicable.

MDA fees, charges and adviser remuneration

As previously mentioned, there are a number of discrete investment programs operating under the Novus Capital MDA service, which are managed by those of our advisers authorised by us to provide MDA services.

The fees and charges to you, and the remuneration paid to your adviser varies according to the investment program you select. This information will be set out in the *Your Adviser Schedule* for the adviser who manages your MDA investment program. All charges for services provided to you under Novus Capital's MDA service are quoted as being exclusive of GST. The following fees and charges apply specifically to our MDA service:

- a) a quarterly management fee of up to 0.375% on the net asset value of your MDA funds at quarter end. As an example, if your MDA funds have a net asset value of \$100,000 at the quarter's end, a quarterly management fee of \$412.50 (management fee of \$375 + \$37.50 GST) may be charged.
- b) a quarterly performance fee of up to 20% on profits earned on your MDA funds during the quarter. For example, if your MDA funds have earned a profit of \$15,000 during a quarter, a quarterly performance fee of \$3,300 (performance fee of \$3,000 + \$300 GST) may be charged.

In addition to the above, brokerage charges apply to every transaction for the purchase or sale of listed Australian securities and derivatives. Brokerage rates may be a rate applicable to a particular transaction, and all rates are quoted exclusive of GST.

The brokerage rate for each purchase or sale of Australian listed securities and Exchange Traded Options will be negotiated directly with your Novus Capital adviser and will be the greater of up to \$135 and 2.50% of the transaction value (for Australian listed securities) or the trade value (for an Exchange Traded Options contract). These charges are quoted excluding GST of 10%; this will be added to the relevant charge. For example, on a transaction for Australian listed securities with a transaction value of \$20,000, and a brokerage rate of 1%, the total charges would be \$220 (\$200 brokerage + \$20 GST).

On Exchange Traded Options, the ASX imposes clearing charges per options contract, and a fee to exercise each contract. At the date of this FSG, the ASX clearing charge is \$0.13 to buy or sell each options contract, and an exercise fee of \$0.05 is charged for each options contract exercised. These charges are quoted excluding GST of 10%; this will be added to the relevant charge. The ASX fees are additional to the brokerage charged by Novus, and are disclosed separately for each transaction. For example, at a brokerage rate of 1%, the charges to buy 20 options contracts with a trade value of \$8,900 would total \$100.76 (brokerage of \$89 + \$8.90 GST + \$ 2.60 ASX clearing fees + \$0.26 GST).

Novus Capital may receive commission (including trailing commissions) on

- a) MDA funds invested in a cash management account in your name maintained through the execution, clearing and settlement service provider used by Novus Capital (this commission may be up to 0.35% p.a. on the funds invested); and
- b) margin lending accounts operated by you under an MDA agreement (this commission may be up to 0.4% p.a. on the funds invested).

Your adviser will be paid a commission of up to 80% on both the brokerage charged to you and any commissions Novus Capital receives on funds in cash management accounts or on margin lending accounts relating to you, after deducting the relevant execution, clearing and settlement charges. Typically, through an interposed service entity, your adviser will be paid an amount of up to \$80 on a brokerage charge to you of \$100. Your adviser's commission arrangements are detailed in the *Your Adviser Schedule* provided to you with this FSG.

Our communications with you

We do not provide custodial or depository services in respect of our MDA service. All MDA portfolio assets will be held in your own name. As such, any communications regarding corporate actions on your portfolio holdings will be sent direct to you by the relevant issuer or registry for those investments. Your adviser will be happy to talk with you regarding any such communications you receive, including those relating to proxy voting.

If you use our MDA service, your adviser will contact you at least every 12 months for the purpose of confirming your personal financial circumstances and reviewing your investment program.

Other Important Information

Novus Capital associations

Novus Capital is not controlled or owned by any other provider of financial services such as a fund manager, bank or insurance company. No other organisation has a vested interest in Novus Capital's business. Apart from a shareholding in Finance News Network Pty Ltd, a provider of business and finance news reports, Novus Capital does not have a vested interest in any other financial services business. Novus Capital is therefore not influenced by any relationships, other than remuneration received from third parties which we and your adviser will always disclose to you, when advice is provided.

How we protect your personal information

Privacy is an important issue and we are committed to ensuring full compliance with the requirements of the *Privacy Act 1988* (Cth).

Some of the personal information we collect from you will need to be provided to our service providers (such as the providers of execution and settlement services and any bank which

operates a cash management account in your name). Apart from those uses, the personal information we collect will only be used by us to assist us in assisting you to meet your financial objectives and service requirements; this may include use in planning marketing proposals, education seminars and the provision of general product advice (including information about upcoming share allocations) to our clients.

What to do if you have a complaint

We pride ourselves on the quality of the services we provide to our clients. However we recognise that things can go wrong. We want you to tell us about them promptly so that we can consider any action we may need to take and to take the opportunity to continuously improve our services.

Our commitment to providing you with quality advice solutions extends to providing an accessible complaint resolution process.

If you have a complaint about the service provided to you, you should take the following steps:

1. Contact your adviser and tell your Adviser about your complaint. Your adviser will consider the complaint and endeavour to resolve it within 5 business days. The majority of complaints can be resolved this way.
2. If your complaint is unable to be resolved within 5 business days, you will be sent an acknowledgment letter which outlines our formal complaint resolution process.
3. If you do not have an Adviser or your complaint is not acknowledged within 5 days, please contact the Complaints Manager at Novus Capital.

The Complaints Manager
Novus Capital Limited
Level 24 Royal Exchange Building
56 Pitt Street
SYDNEY NSW 2000

Telephone: (02) 9375 0100
Facsimile: (02) 9375 0188
Email: thecomplaintsmanager@novuscapital.com.au

We will try and resolve your complaints quickly and fairly. If your complaint is not satisfactorily resolved within a further 45 days, you can raise your concerns with the Financial Ombudsman Services on the details listed below. Novus Capital is a member of this complaints resolutions service – Membership No: 11326.

The Financial Ombudsman Service Limited – ACN 131 124 448
GPO Box 3
Melbourne VIC 3001

Telephone: 1300 780 808
Facsimile: (03) 9613 6699
Email: info@fos.org.au
Website: www.fos.org.au

The Australian Securities and Investment Commission can also be contacted on 1300 300 630 to obtain information about your rights.

Professional Indemnity insurance

Novus Capital confirms that it has arrangements in place to ensure it continues to maintain Professional Indemnity insurance in accordance with s.912B of *the Corporations Act 2001* (as amended). In particular our Professional Indemnity insurance, subject to its terms and conditions, provides indemnity for Novus Capital and our authorised Advisers/representatives/employees in respect of our authorised obligations under our Australian Financial Services Licence.

How to contact us

The address and contact details for your adviser will be shown in the *Your Adviser Schedule* which forms part of this FSG.

Please address correspondence to:

Novus Capital Limited
PO Box R1464
Royal Exchange NSW 1225

You can also contact us on the below details:

Telephone: (02) 9375 0100
Fax: (02) 9247 4844
Email: mail@novuscapital.com.au
Website: www.novuscapital.com.au

Novus Capital has offices in the following locations:

Sydney

Level 24, 56 Pitt Street
Sydney NSW 2000

Level 5, 2 Bligh Street
Sydney NSW 2000

Suite 502/815, Pacific Highway
Chatswood NSW 2067

Victoria

Level 8, 330 Collins Street
Melbourne VIC 3000

Wollongong

Level 1, 166 Keira Street
Wollongong NSW 2500

Queensland

Level 25, 1 Eagle Street
Brisbane QLD 4001

Unit 1004, 3 Main Street
Varsity Lakes QLD 4227

Western Australia

Unit 11, 15 Rosslyn Street
West Leederville WA 6007