

4 October 2018

The Directors
ACN 004 410 833 Limited
c/o Korda Mentha
GPO Box 2523
Sydney NSW 2000

Level 20,
240 Queen Street, Brisbane QLD 4000
GPO Box 9827, Brisbane QLD 4001
DX 322 Brisbane

Telephone: +61 1300 935 075
Facsimile: +61 1300 729 000
www.asic.gov.au

By email: Zachary Voll: zvoll@kordamentha.com

Dear Directors

ACN 004 410 833 Limited (Subject to Deed of Company Arrangement) ACN 004 410 833 (Company) – Extension of time for holding the Company’s Annual General Meetings

We refer to your applications lodged with the Australian Securities and Investments Commission (**ASIC**) on 28 June 2018 and 8 August 2018, requesting an extension of time for the Company to hold its 2016 and 2018 AGM respectively.

On 12 September 2016, the Company was granted an extension of time until 7 December 2018 to hold its 2016 AGM.

Under section 250N of the Act the Company must hold its 2018 AGM within 5 months after the end of its financial year.

The Company was granted financial reporting relief on 2 October 2018 under ASIC Instrument 18-0885. The Company’s financial reporting obligations are deferred until the earlier of :

- (a) 7 October 2020;
- (b) the date on which a disclosure document is lodged with ASIC in relation to any offer for issue or sale of securities that needs disclosure to investors under Chapter 6D of the Act; or
- (c) the date on which the Company is reinstated to quotation by ASX Limited (**ASX**); or
- (d) the date that the Company ceases to be under external administration; or

(e) the date on which a liquidator is appointed in relation to the Company.

Under s250P of the Act, ASIC may extend the period within which s250N of the Act requires a company to hold its AGM. After considering the information contained in your applications, ASIC has decided to extend the period within which the Company must hold its 2016 AGM and 2018 AGM to the date that is 2 months after the financial reporting deferral period provided by ASIC Instrument 18-0885 expires.

Accordingly, if the financial reporting deferral period expires on 7 October 2020, then the Company must hold its 2016 AGM and 2018 AGM by 7 December 2020. If the financial reporting deferral period ends before 7 October 2020 because a disclosure document is lodged with ASIC in relation to an offer for issue or sale of securities; or the Company is reinstated to quotation by ASX; or the company ceases to be under external administration, then the Company must hold its 2016 AGM and 2018 AGM within 2 months after the date the relief under ASIC Instrument 18-0885 expires. Please note that under s250P(3) of the Act, the Company must hold its 2016 AGM and 2018 AGM within the extended period, i.e. before the extended period expires. If a liquidator is appointed in relation to the Company, then the Company may be eligible for financial reporting and AGM relief under *ASIC Corporations (Externally-Administered Bodies) Instrument 2015/251*.

Under s250P(4) of the Act, ASIC imposes the following conditions:

- (a) the administrators must maintain arrangements for answering free of charge, reasonable enquiries from the Company's members about the consequences of the external administration of the Company and the holding of the 2016 AGM and 2018 AGM;
- (b) within 2 business days of receipt of this letter, the administrators must ensure that details of the extension of time for holding the 2016 AGM and 2018 AGM are disclosed on a public website that is maintained by, or on behalf of, the administrators of the Company in a way that is readily accessible from the website.

Please note that where the financial reporting deferral period under ASIC Instrument 18-0885 has ceased earlier than 2 months before the date on which the Company would normally be required under s250N(2) of the Act to hold the relevant AGM, then the Company must hold the relevant AGM within the period that it would normally be required to hold the relevant AGM under s250N(2).

Please contact me on telephone [REDACTED] or by email [REDACTED] if you have any questions concerning the above.

Yours faithfully



Kyle Wright
Senior Lawyer, Corporations Brisbane