



22 November 2022

ASX Market Announcements Office
ASX Limited
Exchange Centre
10th Floor, 20 Bridge Street
SYDNEY NSW 2000

Dear Sandra,

Re: Price and Volume Query

We refer to your letter dated 22 11 2022 regarding the price movement and volume of securities of BPH Energy Limited (ASX: BPH). The Company wishes to advise the following in response to your questions:

1. Subject to paragraph 3 below, the Company is not aware of any material information about it that could explain the recent trading in the securities.
2. As the answer to question 1 is 'no', question 2 does not apply.
3. BPH is aware that an article was published on 19 11 22 in 'The Saturday Paper' by Karen Middleton, the papers' Chief Political Correspondent titled 'exclusive-mccormack-reveals-what-he-knew-morrison-ministries'.

This was a follow up to earlier coverage on the Ministerial appointments of the former Prime Minister Hon.S. Morrison .

4. The Company confirms that it is in compliance with the listing rules and, in particular, listing rule 3.1.
5. The Company confirms that the responses to these questions have been authorised and approved by an officer of BPH with delegated authority from the Board to respond to the ASX on disclosure matters.

Yours sincerely

A handwritten signature in black ink that reads "D. Breeze". The signature is stylized with a large, sweeping initial "D" and a trailing flourish.

David Breeze
Managing Director



22 November 2022

Reference: 64625

Mr David Breeze
Managing Director and Company Secretary
BPH Energy Ltd

By email

Dear Mr Breeze

BPH Energy Ltd ('BPH'): Price - Query

ASX refers to the following:

- A. The change in the price of BPH's securities from a closing price of \$0.021 on Friday, 18 November 2022 to an intra-day high at the time of writing this letter of \$0.032 today.
- B. The significant increase in the volume of BPH's securities traded from 21 November 2022 to 22 November 2022.

Request for information

In light of this, ASX asks BPH to respond separately to each of the following questions and requests for information:

1. Is BPH aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
2. If the answer to question 1 is "yes".
 - (a) Is BPH relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in BPH's securities would suggest to ASX that such information may have ceased to be confidential and therefore BPH may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
 - (b) Can an announcement be made immediately? Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
 - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
3. If the answer to question 1 is "no", is there any other explanation that BPH may have for the recent trading in its securities?
4. Please confirm that BPH is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that BPH's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of BPH with delegated authority from the board to respond to ASX on disclosure matters.

When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **2:30 PM AWST Tuesday, 22 November 2022**. You should note that if the information

requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, BPH's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require BPH to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsCompliancePerth@asx.com.au**. It should not be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

Trading halt

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in BPH's securities under Listing Rule 17.1. If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.

We require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in BPH's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to BPH's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure*: Listing Rules 3.1 – 3.1B. It should be noted that BPH's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

Release of correspondence between ASX and entity

We reserve the right to release a copy of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

Questions

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely

Sandra Wutete
Principal Adviser, Listings Compliance (Perth)