



14 June 2017

Christopher Dobbs  
Adviser, Listings Compliance  
Australian Securities Exchange Limited

By email: [Chris.Dobbs@asx.com.au](mailto:Chris.Dobbs@asx.com.au)

Dear Christopher,

**ASX Response Letter in relation to Appendix 3Y dated 9 June 2017**

We have received your letter dated 9 June 2017 in relation to the late lodgement of the Change of Director's Interest Notice ('Appendix 3Y') for Mr Daniel Justyn Peters. Please find set out below our response to the questions raised:

**1. Please explain why the Appendix 3Y was lodged late**

The Appendix 3Y was lodged late due to an inadvertent administrative oversight where an Appendix 3Y was not lodged when unlisted options were issued. Upon discovery of this oversight, an Appendix 3Y was prepared and lodged immediately.

**2. What arrangements does the Entity have in place under listing rule 3.19B with its directors to ensure that it is able to meet its disclosure obligations under listing rule 3.19A?**

The Company and the Directors are aware of their obligations under ASX Listing Rule 3.19A. Each Director is made aware upon joining the Board of their obligations to LCK regarding details of any changes in their notifiable interests.

The Company has developed, and lodged with ASX on 15 August 2016 a Securities Trading Policy to assist Directors and Officers to comply with their disclosure obligations. This Policy includes the requirement that all Directors must notify the Company Secretary of any dealings in the Company's securities within 2 business days after any such dealings occur.

**3. If the current arrangements are inadequate or not being enforced, what additional steps does the Entity intend to take to ensure compliance with listing rule 3.19B?**

The Company is aware of its obligations and confirms that its current practices are adequate and the late lodgement of the Appendix 3Y in question was an unfortunate irregularity.

We trust the responses given address your queries.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J Mehrtens'.

Jordan Mehrtens  
Company Secretary



9 June 2017

Jordan Mehrstens  
Company Secretary  
Leigh Creek Energy Ltd  
PO Box 12 Rundle Mall  
SA 5000

By email: [jordan.mehrtens@lcke.com.au](mailto:jordan.mehrtens@lcke.com.au)

Dear Jordan,

**Leigh Creek Energy Ltd ('the Entity'): Appendix 3Y – Change of Director's Interest Notice**

We refer to the following:

1. The announcement lodged by the Entity with ASX Limited ("ASX") on 1 December 2014 confirming the appointment of Mr Daniel Peters as a director of the Entity effective immediately;
2. Appendix 3X lodged by the Entity with ASX on 2 December 2014 for Mr Daniel Peters (the "Initial Director's Interest Notice");
3. Appendix 3Y lodged by the Entity with ASX on 9 June 2017 for Mr Daniel Peters (the 'Change of Director's Interest Notice');
4. Listing rule 3.19A which requires an entity to tell ASX the following:
  - 3.19A.2 *A change to a notifiable interest of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) including whether the change occurred during a closed period where prior written clearance was required and, if so, whether prior written clearance was provided. The entity must complete Appendix 3Y and give it to ASX no more than 5 business days after the change occurs;*
  - 3.19A.3 *The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the date that the director ceases to be a director. The entity must complete Appendix 3Z and give it to ASX no more than 5 business days after the director ceases to be a director.*
5. Listing rule 3.19B which states as follows:

*An entity must make such arrangements as are necessary with a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) to ensure that the director discloses to the entity all the information required by the entity to give ASX*



*completed Appendices 3X, 3Y and 3Z within the time period allowed by listing rule 3.19.A. The entity must enforce the arrangements with the director.*

The Change of Director's Interest Notice indicates that a change in Mr Peters' notifiable interest occurred on 15 December 2015. It appears that it should have been lodged with ASX no more than 5 business days after the change occurred. Consequently, the Entity may be in breach of listing rules 3.19A and/or 3.19B. It also appears the directors concerned may have breached section 205G of the *Corporations Act 2001* (Cth).

Please note ASX is required to record details of breaches of the Listing Rules by listed entities for its reporting requirements.

ASX reminds the Entity of its contract with ASX to comply with the Listing Rules. In the circumstances, ASX considers that it is appropriate that the Entity make necessary arrangements to ensure there is not a reoccurrence of a breach of the Listing Rules.

Having regard to listing rules 3.19A and 3.19B and Guidance Note 22: *Director Disclosure of Interests and Transactions in Securities - Obligations of Listed Entities*, under listing rule 18.7 we ask that you answer each of the following questions.

1. Please explain why the Appendix 3Y was lodged late.
2. What arrangements does the Entity have in place under listing rule 3.19B with its directors to ensure that it is able to meet its disclosure obligations under listing rule 3.19A?
3. If the current arrangements are inadequate or not being enforced, what additional steps does the Entity intend to take to ensure compliance with listing rule 3.19B?

Your response should be sent to me by e-mail at [chris.dobbs@asx.com.au](mailto:chris.dobbs@asx.com.au). It should not be sent to the ASX Market Announcements Office.

A response is requested as soon as possible and, in any event, not later than half an hour before the start of trading (ie before 9.30 a.m. A.E.S.T.) on Thursday, 15 June 2017.

Under listing rule 18.7A, a copy of this letter and your response will be released to the market, so your response should be in a form suitable for release and must separately address each of the questions asked.

If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chris Dobbs', written in a cursive style.

Christopher Dobbs  
**Adviser, Listings (Sydney)**