



ASX Announcement

22 March 2019

Shareholder Update

Further to the Company's announcement on 25 February 2019, NuCoal Resources Ltd (ASX:NCR) wishes to advise that the NSW Director of Public Prosecutions office has given notice that it will not be seeking leave to appeal to the High Court of Australia to challenge the decision of the NSW Court of Criminal Appeal on 25 February 2019.

The decision of the NSW Court of Criminal Appeal quashed the convictions of Ian Macdonald and John Maitland citing "... *the trial judge had misdirected the jury as to the state of mind required to be found guilty of the offence of wilful misconduct in public office*".¹

Ian Macdonald and John Maitland may be subject to a retrial in 2020, however any retrial will be based on the conclusions reached by the NSW Court of Criminal Appeal.

NuCoal will continue to follow the case with interest and provide shareholders with any relevant updates.

For further enquiries please contact:

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¹ Judgment Summary - Maitland v R; Macdonald v R [2019] NSWCCA 32

Board of Directors