

26 August 2022

Ramona Seeto  
ListingsComplianceSydney@asx.com.au  
Australian Securities Exchange  
Level 5, 20 Bridge Street  
SYDNEY NSW 2000  
By electronic lodgement

**Re: BIR Financial Limited ('BIR'): Price – Query**

Dear Ramona

BIR refers to you letter of todays date and respond in *italics* below to the relevant questions:

1. Is BIR 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?

*No*

3. If the answer to question 1 is “no”, is there any other explanation that BIR may have for the recent trading in its securities?

*No*

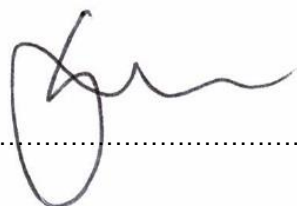
4. Please confirm that BIR is complying with the Listing Rules and, in particular, Listing Rule 3.1.

*BIR is in discussion with Australian Securities Exchange (ASX) in relation to certain disclosures on recent announcements although from the questions received BIR does not believe there has been any non compliance with Listing Rule 3.1 or material misstatements in historical disclosures.*

*If ASX believe further disclosure is required BIR will make that disclosure.*

5. Please confirm that BIR'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 BIR with delegated authority from the board to respond to ASX on disclosure matters.

*This response has been authorised for release by the board of BIR Financial Limited.*

  
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Greg Starr  
Company Secretary  
BIR Financial Limited



26 August 2022

Reference: 57977

Mr Gregory Starr  
Company Secretary  
BIR Financial Limited

Dear Mr Starr

**BIR Financial Limited ('BIR'): Price – Query**

ASX refers to the following:

- A. The change in the price of BIR's securities from a closing price of \$0.03 on 25 August 2022 to an intraday high today, 26 August 2022 of \$0.043 at the time of writing.
- B. The significant increase in the volume of BIR's securities traded over this period.

**Request for information**

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

1. Is BIR 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 BIR relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in BIR's securities would suggest to ASX that such information may have ceased to be confidential and therefore BIR 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 BIR may have for the recent trading in its securities?
4. Please confirm that BIR is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that BIR'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 BIR 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 **1:30 PM AEST Friday, 26 August 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, BIR's obligation is to disclose the information

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‘immediately’. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require BIR to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsComplianceSydney@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 BIR’s securities under Listing Rule 17.1. If you wish to request 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 BIR’s securities under Listing Rule 17.3.

### **Listing Rules 3.1 and 3.1A**

In responding to this letter, you should have regard to BIR’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 BIR’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

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**Ramona Seeto**

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Adviser, Listings Compliance (Sydney)