



AUSTPAC RESOURCES N.L.

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Federal Court order granted

Federal Court Application:

Austpac Resources NL (Austpac, ASX: APG) refers to its previous announcements regarding suspension from trading in its shares under Listing Rule 17.2 pending its application to the Federal Court in relation to nonadherence with disclosure requirements in relation to various issues of shares in the period between 2016 and 2019.

Austpac is pleased to advise that on 21 February 2023 the Federal Court granted orders relieving on-selling shareholders of any civil liability in relation to these sales, except for Nostag Pty Ltd and Mr Nicholas John Gaston, former Company secretary of Austpac.

A full copy of the Court Orders accompanies this announcement. A sealed copy of the Court Order will be served on ASIC as soon as reasonably practicable. Austpac will also forward a copy of the Court order to the person to whom the relevant shares were issued.

By order of the Board.



Federal Court of Australia
District Registry: New South Wales
Division: General

No: NSD369/2022

AUSTPAC RESOURCES N.L.
Plaintiff

ORDER

JUDGE: JUSTICE GOODMAN

DATE OF ORDER: 21 February 2023

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Pursuant to section 1322(4)(a) of the *Corporations Act 2001* (Cth), the Court declares that any offer for sale, or sale, of any of the tranches of fully paid ordinary shares in the plaintiff that were issued on the dates referred to in Annexure A to these Orders (**Shares**) occurring in the period after their issue, is not invalid by reason of any contravention of section 707(3) or section 727(1) of the Act.
2. Subject to order 3, pursuant to section 1322(4)(c) of the Act, any person offering to sell or selling Shares is relieved from any civil liability arising out of such contravention.
3. Order 2 does not apply to Notsag Pty Ltd or Mr Nicholas John Gaston, former secretary of the plaintiff.
4. As soon as reasonably practicable, the plaintiff must:
 - (a) send a copy of such orders to each person to whom the Shares were issued; and
 - (b) publish an announcement to the Australian Securities Exchange (**ASX**) in which a copy of such orders is included.
5. A sealed copy of such orders must be served on the Australian Securities and Investments Commission (**ASIC**) as soon as reasonably practicable and upon service of these orders on ASIC, ASIC must include such orders on its database.



6. For a period of 28 days from the date of publication of such orders on the ASX website, any person who claims to have suffered substantial injustice or who claims they are likely to suffer substantial injustice by reason of the contraventions referred to above or the making of such orders may apply within that period to vary or discharge the orders.

Date that entry is stamped: 21 February 2023

Sia Lagos
Registrar