

9 October 2023

Lisa Banh
Senior Advisor, Listings Compliance
ASX Compliance
Exchange Centre
20 Bridge Street
Sydney NSW 2000

Email: ListingsComplianceSydney@asx.com.au

Dear Ms Banh,

PainChek Ltd (ASX Code: PCK) – Response to ASX Price Query

PainChek Ltd ACN 146 035 127 (**PainChek** or **PCK**) responds to ASX's price query letter dated 9 October 2023 (**ASX Letter**).

In response to each of the questions raised in the ASX Letter, PainChek responds as follows:

1. *Is PCK 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.

2. *If the answer to question 1 is "yes":*

- a. *Is PCK relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?*

Not Applicable.

- b. *Can an announcement be made immediately?*

Not Applicable.

- c. *If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?*

Not Applicable.

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

The Company is not aware of any particular matter(s) that would have affected the recent trading in its securities but notes that it is possible that the market may be reacting to recent press articles and Scottish government publications that refer to the paid pilot programme and potential roll out of PainChek's technology by the Scottish Care Inspectorate.

The outcomes of the first phase PainChek pilots and the inclusion of PainChek as a key initiative within the Scottish Care Inspectorate Quality Improvement Plan 2023/24 have been previously disclosed to the ASX in the investor presentations lodged on 14th September (slides 13 and 15) and on 27th July 2023.

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

The Company confirms it is complying with the Listing Rules and, in particular, Listing Rule 3.1.

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

This response has been authorised and approved by PainChek CEO, Philip Daffas.

Yours sincerely,



Lisa Dadswell
Company Secretary



9 October 2023

Reference: 81686

Mrs Lisa Dadswell
Head of Corporate Secretarial Services
Boardroom Pty Limited
Level 8, 210 George Street
Sydney NSW 2000

By email:

Dear Mrs Dadswell

Painchek Limited ('PCK'): Price - Query

ASX refers to the following:

- A. The change in the price of PCK's securities from a low of \$0.048 to a high of \$0.07 today.
- B. The significant increase in the volume of PCK's securities traded from 6 October 2023 to 9 October 2023.

Request for information

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

1. Is PCK 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?

If the answer to question 1 is "yes".

- (a) Is PCK relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in PCK's securities would suggest to ASX that such information may have ceased to be confidential and therefore PCK 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?
2. If the answer to question 1 is "no", is there any other explanation that PCK may have for the recent trading in its securities?
 3. Please confirm that PCK is complying with the Listing Rules and, in particular, Listing Rule 3.1.
 4. Please confirm that PCK'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 PCK 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 **3.00 PM AEDT Monday, 9 October 2023**. 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, PCK'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 PCK 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 PCK'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 PCK's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to PCK'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 PCK'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

ASX reserves the right to release all or any part 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.

Kind regards

Lisa Banh
Senior Adviser, Listings Compliance