

# BRICKWORKS

LIMITED

**Brickworks Limited**

ABN: 17 000 028 526

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14 November 2023

Australian Securities Exchange  
Attention: **ASX Market Announcements**

## BY ELECTRONIC LODGEMENT

Dear Sir/Madam

### **Form 603 Notice of initial substantial holder - CAPITOL HEATH LIMITED (ASX: CAJ) (the *Company*)**

Please find attached a Notice of initial substantial holder for the Company. Brickworks Limited currently holds 26.1% of the shares in Washington H. Soul Pattinson and Company Limited (ASX: SOL) which results in Brickworks Limited having a deemed relevant interest in the Company.

As provided for in the notice, Brickworks Limited will file further substantial holder notices only to the extent that there would be informational utility in doing so.

Yours faithfully

Brickworks Limited

**Susan Leppinus**  
Company Secretary

PROUDLY SUPPORTS



# Form 603

Corporations Act 2001  
Section 671B

## Notice of initial substantial holder

To Company Name/Scheme CAPITOL HEATH LIMITED (CAJ)

ACN/ARSN ACN 117 391 812

### 1. Details of substantial holder

Name BRICKWORKS LIMITED and its subsidiaries

ACN/ARSN (if applicable) 000 028 526

The holder became a substantial holder on 08 / 11 / 2023

*The substantial holder's relevant interests in the Company's securities arise solely due to its deemed relevant interest in those securities arising due to the substantial holder's voting power in Washington H. Soul Pattinson and Company Limited ("WHSP") – see Notes 1 and 2.*

*Unless the substantial holder acquires a relevant interest in the Company in its own right or it ceases to have those deemed relevant interests, or there is a significant development that would provide material information to the market as contemplated in section 602 of the Corporations Act, the substantial holder does not intend to file further substantial holder notices in relation to the Company as these would be more confusing than informative.*

### 2. Details of voting power

The total number of votes attached to all the voting shares in the company or voting interests in the scheme that the substantial holder or an associate had a relevant interest in on the date the substantial holder became a substantial holder are as follows:

***As set out in WHSP's Notice of initial substantial holding for CAJ lodged on 9 November 2023 and attached as Annexure A. Brickworks Limited's relevant interest arises due to its 26.1% shareholding in WHSP (See Notes 1 and 2).***

### 3. Details of relevant interests

The nature of the relevant interest the substantial holder or an associate had in the following voting securities on the date the substantial holder became a substantial holder are as follows:

***As set out in WHSP's Notice of initial substantial holding for CAJ lodged on 9 November 2023 and attached as Annexure A. Brickworks Limited's relevant interest arises due to its 26.1% shareholding in WHSP (See Notes 1 and 2).***

### 4. Details of present registered holders

The persons registered as holders of the securities referred to in paragraph 3 above are as follows:

***As set out in WHSP's Notice of initial substantial holding for CAJ lodged on 9 November 2023 and attached as Annexure A. Brickworks Limited's relevant interest arises due to its 26.1% shareholding in WHSP (See Notes 1 and 2).***

### 5. Consideration

The consideration paid for each relevant interest referred to in paragraph 3 above, and acquired in the four months prior to the day that the substantial holder became a substantial holder is as follows:

***As set out in WHSP's Notice of initial substantial holding for CAJ lodged on 9 November 2023 and attached as Annexure A. Brickworks Limited's relevant interest arises due to its 26.1% shareholding in WHSP (See Notes 1 and 2).***

### 6. Associates

The reasons the persons named in paragraph 3 above are associates of the substantial holder are as follows:

Name and ACN/ARSN (if applicable)	Nature of association
N / A	

## 7. Addresses

The addresses of persons named in this form are as follows:

Name	Address
Brickworks Limited	738-780 Wallgrove Road Horsley Park NSW 2175
Washington H. Soul Pattinson and Company Limited	Level 14, 151 Clarence Street Sydney NSW 2000

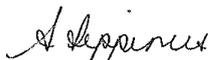
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## Signature

print name Susan Leppinus

Company Secretary

sign here



date 14 November 2023

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## NOTES

- (1) This notice of initial substantial holder is given to confirm and clarify the details of the relevant interest that Brickworks Limited (**Brickworks**) holds in CAPITOL HEATH LIMITED (**Company**).
- (2) The relevant interest that Brickworks holds in the Company arises by virtue of the operation of the provisions of section 608(3)(a) of the Corporations Act. That section provides that a person will be deemed to hold a relevant interest in any securities that a body corporate has a relevant interest in where the person's voting power in that body corporate is above 20%. Brickworks has voting power in Washington H. Soul Pattinson and Company Limited (**WHSP**) of 26.1%. As such, Brickworks is deemed to have a relevant interest in securities of the Company that WHSP has a relevant interest in. Brickworks has had voting power in WHSP above 20% since 1972. For further details of the relevant interest of WHSP in the Company see the Notices of Substantial Shareholder lodged by WHSP.

**Annexure A**

**Form 603 Notice of initial substantial holder by WHSP**

This is Annexure A of 5 pages referred to in Form 603 Notice of initial substantial holder by Brickworks Limited

Name: Susan Leppinus

Capacity: Company Secretary

Signature: 

Date: 14 November 2023

# Form 604

Corporations Act 2001  
Section 671B

## Notice of change of interests of substantial holder

To Company Name/Scheme CAPITOL HEALTH LIMITED (ASX: CAJ)

ACN/ARSN ACN 117 391 812

### 1. Details of substantial holder(1)

Name Washington H. Soul Pattinson and Company Limited (WHSP)

ACN/ARSN (if applicable) ACN 000 002 728

There was a change in the interests of the substantial holder on 08/11/2023

The previous notice was given to the company on 11/04/2023

The previous notice was dated 11/04/2023

### 2. Previous and present voting power

The total number of votes attached to all the voting shares in the company or voting interests in the scheme that the substantial holder or an associate (2) had a relevant interest (3) in when last required, and when now required, to give a substantial holding notice to the company or scheme, are as follows:

Class of securities (4)	Previous notice		Present notice	
	Person's votes	Voting power (5)	Person's votes	Voting power (5)
Ordinary Shares				
Pengana Capital Group Limited	37,727,016	3.08%	-	0%*
WHSP	47,895,346	4.50%	60,522,584.00	5.68%
TOTAL	80,622,362	7.58%	60,522,584.00	5.68%

### 3. Changes in relevant interests

Particulars of each change in, or change in the nature of, a relevant interest of the substantial holder or an associate in voting securities of the company or scheme, since the substantial holder was last required to give a substantial holding notice to the company are as follows:

Date of change	Person whose relevant interest changed	Nature of change (6)	Consideration given in relation to change (7)	Class and number of securities affected	Person's votes affected
Refer to Annexure A					

### 4. Present relevant interests

Particulars of each relevant interest of the substantial holder in voting securities after the change are as follows:

Holder of relevant interest	Registered holder of securities	Person entitled to be registered as holder (8)	Nature of relevant interest (6)	Class and number of securities	Person's votes
WHSP	WHSP	WHSP	Direct Holding	60,522,584.00 Ordinary Shares	60,522,584.00

**5. Changes in association**

The persons who have become associates (2) of, ceased to be associates of, or have changed the nature of their association (9) with, the substantial holder in relation to voting interests in the company or scheme are as follows:

Name and ACN/ARSN (if applicable)	Nature of association
PENGANA CAPITAL GROUP LIMITED	WHSP HOLDS VOTING POWER OF MORE THAN 20% IN PENGANA CAPITAL GROUP LIMITED

**6. Addresses**

The addresses of persons named in this form are as follows:

Name	Address
WHSP	Level 14, 151 Clarence Street, Sydney NSW 2000
PENGANA CAPITAL GROUP LIMITED	Level 12, 167 Macquarie Street, Sydney, NSW 2000

**Signature**

print name Pamela Longstaff capacity Company Secretary

sign here



date 09/11/2023

**DIRECTIONS**

- (1) If there are a number of substantial holders with similar or related relevant interests (eg. a corporation and its related corporations, or the manager and trustee of an equity trust), the names could be included in an annexure to the form. If the relevant interests of a group of persons are essentially similar, they may be referred to throughout the form as a specifically named group if the membership of each group, with the names and addresses of members is clearly set out in paragraph 6 of the form.
- (2) See the definition of "associate" in section 9 of the Corporations Act 2001.
- (3) See the definition of "relevant interest" in sections 608 and 671B(7) of the Corporations Act 2001.
- (4) The voting shares of a company constitute one class unless divided into separate classes.
- (5) The person's votes divided by the total votes in the body corporate or scheme multiplied by 100.
- (6) Include details of:
  - (a) any relevant agreement or other circumstances because of which the change in relevant interest occurred. If subsection 671B(4) applies, a copy of any document setting out the terms of any relevant agreement, and a statement by the person giving full and accurate details of any contract, scheme or arrangement, must accompany this form, together with a written statement certifying this contract, scheme or arrangement; and
  - (b) any qualification of the power of a person to exercise, control the exercise of, or influence the exercise of, the voting powers or disposal of the securities to which the relevant interest relates (indicating clearly the particular securities to which the qualification applies).

See the definition of "relevant agreement" in section 9 of the Corporations Act 2001.
- (7) Details of the consideration must include any and all benefits, money and other, that any person from whom a relevant interest was acquired has, or may, become entitled to receive in relation to that acquisition. Details must be included even if the benefit is conditional on the happening or not of a contingency. Details must be included of any benefit paid on behalf of the substantial holder or its associate in relation to the acquisitions, even if they are not paid directly to the person from whom the relevant interest was acquired.
- (8) If the substantial holder is unable to determine the identity of the person (eg. if the relevant interest arises because of an option) write "unknown".
- (9) Give details, if appropriate, of the present association and any change in that association since the last substantial holding notice.

**Annexure A**

**Form 604 Notice of change of interests of substantial holder by Washington H. Soul Pattinson Limited**

This is Annexure A of 1 page referred to in Form 604 – Notice of change of interests of substantial holder by WHSP.

Name: Pamela Longstaff

Capacity: Company Secretary

Signature: 

Date: 09/11/2023

## Annexure A

WHSP Transactions

Date Purchased or sold	Transaction Details	Number	Price	Total Cost
11-Apr-23	Total Shares as at last Substantial notice	47,895,346.00		
24-Aug-23	On Market Purchase	1,957,220.00	0.235	459,946.70
25-Aug-23	On Market Purchase	542,780.00	0.235	127,553.30
28-Aug-23	On Market Purchase	399,628.00	0.225	89,916.30
29-Aug-23	On Market Purchase	1,100,372.00	0.221	243,388.50
31-Aug-23	On Market Purchase	6,500,000.00	0.215	1,397,500.00
21-Sep-23	On Market Purchase	2,127,238.00	0.200	425,447.60
07-Nov-23	Total	60,522,584.00		

Holder of relevant interest	Class and number of securities	Voting Power (%)
WHSP	60,522,584.00 Ordinary Fully Paid Shares	5.68%
<b>Total</b>	<b>60,522,584.00</b>	<b>5.68%**</b>

\* Pengana Capital Group Limited (of which WHSP holds voting power of more than 20%) has reduced it's holding in CAJ to zero.

\*\* % Voting power in the present notice is based on 1,065,809,403 CAJ ordinary shares on issue.