

21 October 2024

## ASX RELEASE

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### Receipt of Notice under Section 249D of the Corporations Act

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**AuKing Mining Limited (ASX: AKN)** advises in accordance with ASX Listing Rule 3.17A, that it has received a notice under s249D of the *Corporations Act 2001* (Cth) (“Corporations Act”) to call a general meeting of the Company for the purpose of appointing two Directors to the Board and removing two existing Directors from the Board.

The Company provides details of the s249D Notice (“Notice”) below.

The Notice was issued by Mr Pavle Tomasevic in respect of 19,670,000 shares in the Company as at 11 October 2024. Mr Tomasevic holds in excess of 5% of the votes that may be cast at a general meeting of the Company.

In addition to the Notice, the Company received a notice under s203D of the Corporations Act, by which Mr Tomasevic notified the Company of his intention to propose ordinary resolutions at a general meeting for the removal of Mr Tighe and Mr Williams from the board of directors of the Company and the appointment of Mr Michael John Fennell and Mr Mihajlo Matkovic, with their consents to act as directors attached.

Where a valid notice under s249D is received, the Company will be required to convene a general meeting of shareholders pursuant to the Notice within 21 days after the date on which the Notice was received, and to hold the general meeting within 2 months from the date of receipt.

The Board notes that if all of the resolutions proposed in the Notice were passed, the Company would have only one Director who ordinarily resides in Australia. Accordingly, the Company would be in breach of s201A(2) of the Corporations Act, which requires at least two Directors to ordinarily reside in Australia.

The Company will consider the Notice and will comply with its obligations under the Corporations Act.

The Company will keep all shareholders updated on any material developments.

This announcement is authorised by the Board of the Company.

## Proposed Resolutions

### Resolution 1.

Removal of Director – Mr Peter Tighe

To consider and if thought fit pass the following resolution as an ordinary resolution:

*“That pursuant to section 203D(1) of the Corporations Act 2001 (Cth), Mr Peter Tighe be removed as a director of the Company with effect from the end of the General Meeting.”*

### Resolution 2.

Removal of Director – Mr Paul Williams

To consider and if thought fit pass the following resolution as an ordinary resolution:

*“That pursuant to section 203D(1) of the Corporations Act 2001 (Cth), Mr Paul Williams be removed as a director of the Company with effect from the end of the General Meeting.”*

### Resolution 3.

Appointment of Director – Mr Michael John Fennell

To consider and if thought fit pass the following resolution as an ordinary resolution:

*“That pursuant to and in accordance with the Company’s Constitution and for all other purposes, Mr Michael John Fennell, having consented to act as a director of the Company, be appointed as a director of the Company with effect from passing of this Resolution.”*

### Resolution 4.

Appointment of Director – Mr Mihajlo Matkovic

To consider and if thought fit pass the following resolution as an ordinary resolution:

*“That pursuant to and in accordance with the Company’s Constitution and for all other purposes, Mr Mihajlo Matkovic, having consented to act as a director of the Company, be appointed as a director of the Company with effect from passing of this Resolution.”*

### **For more information, please contact:**

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