



Enova Mining Limited  
ABN: 64 087 595 980  
Reg. Office: Level 26, 360 Collins Street,  
Melbourne VIC 3000, Australia  
Tel: +61398677199, Fax: +61398678587  
Email: [contact@enovamining.com](mailto:contact@enovamining.com)  
Mail: PO Box 783, Berwick, VIC 3806  
[www.enovamining.com](http://www.enovamining.com)

**15 December 2023**

**ORDERS GRANTED IN THE SUPREME COURT OF WESTERN AUSTRALIA**

Enova Mining Limited (ACN 087 595 980) (ASX: ENV) (**Company**) refers to its announcements dated 4 December 2023 and 13 December 2023. The Company confirms the receipt of orders granted in the Supreme Court of Western Australia on Friday, 15 December 2023 confirming, among other things, the validity of the appointment of the Company's auditor, John Shute Chartered Accountants from 9 September 2020.

The orders issued by the Court are attached.

Further to the Company's announcement dated 13 December 2023, the Company confirms that its securities will remain in voluntary suspension until the release of an announcement in relation to the potential acquisition. The Company expects to release an announcement with an update on the potential acquisition on Monday, 18 December 2023.

**Approved for release by the Board of Enova Mining Limited**

Eric Vesel  
CEO/Executive Director  
**Enova Mining Limited**

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**Contact details:**

Eric Vesel  
CEO/Executive Director  
**Enova Mining Limited**

Email: [eric@enovamining.com](mailto:eric@enovamining.com)  
Mobile: +61 419 802 839



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/194/2023

EX PARTE:

**ENOVA MINING LIMITED (ACN 087 595  
980)**

First Plaintiff

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**ORDERS OF JUSTICE HILL  
MADE ON 15 DECEMBER 2023**

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**UPON APPLICATION of the plaintiff by originating process dated 8 December 2023, AND UPON HEARING Mr N Wallwork of counsel for the plaintiff, IT IS ORDERED that:**

1. Pursuant to Order 21, Rules 5 and 6 of the Rules of Supreme Court 1971, the plaintiff have leave to file an amended originating process in the form filed on 12 December 2023.
2. Pursuant to s 1322(4)(a) of the Corporations Act 2001 (Cth) (Act), it is declared that the appointment of John Shute as auditor of the plaintiff from 9 September 2020 is not invalid by reason of:
  - (a) the failure of the plaintiff to comply with s 327B(1)(b) of the Act by not appointing an auditor of the plaintiff to fill any vacancy in the office of auditor at the annual general meetings of the plaintiff on:
    - (i) 24 May 2021 (2021 AGM); and
    - (ii) 26 May 2022 (2022 AGM);
  - (b) the failure of the directors of the plaintiff to comply with s 327C(1) of the Act by not appointing an auditor of the plaintiff within one month following the 2021 AGM and the 2022 AGM;
  - (c) any failure of the plaintiff to comply with s 301(1) of the Act by not having a financial report audited by a properly appointed auditor for the financial years ended 31 December 2021 and 31 December 2022;
  - (d) any failure of the plaintiff to comply with s 302 of the Act by not having a half year financial report audited by a properly appointed auditor for the financial half years ended 30 June 2020, 30 June 2021 and 30 June 2022; and
  - (e) any failure of the plaintiff to comply with s 314(1) of the Act by not providing to members a financial report audited by a properly appointed auditor for the financial years ended 31 December 2021 and 31 December 2022.
3. The Court declares that the plaintiff and its directors are deemed to have complied with the

requirements of ss 327B(1)(b), 327C(1), 301(1), 302 and 314(1) of the Act.

4. Pursuant to s 1322(4)(c) of the Act, the plaintiff and each of its current and former directors holding office during the period from 9 September 2020 to the date of these orders are relieved of any civil liability arising out of any contravention of ss 301(1), 302, 314(1), 327B(1)(a), 327C(1) and 344(1) of the Act by reason of the matters set out in Order 1 above.
5. The Court declares that, pursuant to s 1322(4)(a) of the Act:
  - (a) the notice of annual general meeting of the plaintiff issued 27 April 2023;
  - (b) the annual general meeting of the plaintiff held on 31 May 2023; and
  - (c) resolution 7 of the resolutions passed at the annual general meeting of the plaintiff held on 31 May 2023,

are not invalid by reason of the misstatement in the explanatory memorandum to the notice of annual general meeting providing that ASIC issued its consent to the resignation of RSM Australia Partners as auditor of the plaintiff on 22 November 2020 when that consent was in fact issued on 21 September 2020.

#### Issue of securities

6. Pursuant to s 1322(4)(a) of the Act, it is declared that by reason of Order 1 above, the notice given under s 708A(5) of the Act given to the Australian Securities Exchange Limited (ASX) on 30 May 2022 in respect of the 28,556,218 ordinary fully paid shares in the plaintiff issued to Emmco Mining Sdn Bhd is not invalid by reason of the matters set out in Order 1 above.

#### Other matters

7. As soon as reasonably practicable, the plaintiff is to:
  - (a) serve a sealed copy of these orders on:
    - (i) ASIC;
    - (ii) ASX Ltd;
    - (iii) the plaintiff's auditor, John Shute Chartered Accountants; and
    - (iv) Emmco Mining Sdn Bhd;
  - (b) publish an announcement to ASX in which a copy of these orders is included; and
  - (c) publish a copy of these orders on its website.
8. For a period of 28 days from the publication of the ASX announcement in accordance with order 7, any person who claims to have suffered substantial injustice or is likely to suffer substantial injustice by the making of any or all of these orders has liberty to apply to vary or to discharge them.
9. There be no order as to costs.

BY THE COURT

THE HONOURABLE JUSTICE J HILL