



HORSESHOE METALS

LIMITED

9 July 2014

Deanna Carpenter
Adviser, Listings Compliance (Perth)
ASX Compliance Pty Limited
Level 8, Exchange Plaza, 2 The Esplanade
PERTH WA 6000

Transmission via facsimile: (08) 9221 2020

Dear Deanna

AWARE QUERY

I refer to your correspondence dated 8 July 2014 regarding the change in the price of the securities of Horseshoe Metals Ltd ("**Horseshoe**" and "**the Company**") from a closing price of \$0.021 on Friday, 4 July 2014, to a closing price of \$0.033 on Monday, 7 July 2014 and a substantial increase in the volume of securities traded over this period.

In regards to the commencement of drilling and Controlled Placement Agreement disclosures we respond to your questions as follows:

1. Yes, the Company considers the Commencement of Drilling to be information that a reasonable person would expect to have a material effect on the price or value of its securities.
2. N/A
3. The Company commenced drilling on 7 July 2014. The Managing Director, Neil Marston was present when drilling commenced and arranged for the release of the ASX announcement on the 7 July as soon as he was able to make communications with the Company's head office. .
4. The Company has previously indicated its intention to commence drilling at the Kumarina Project in July 2014 as contained in the Company Presentation Indicative timetable, slide 19 which was disclosed to the market on 3 June 2014.
5. Yes
6. N/A
7. The Company entered in to the Controlled Placement Agreement on 7th July 2014.
8. N/A

ABN 20 123 133 166

Ground Floor, 24 Mumford Place Balcatta WA 6021 PO Box 695 Balcatta WA 6021

Ph (08) 6241 1844 Fax: (08) 6241 1811

www.horseshoemetals.com.au

9. We confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

Please do not hesitate to contact me with any further queries relating to this matter during office hours on (08) 6241 1844.

Yours faithfully

HORSESHOE METALS LIMITED



NEIL MARSTON

Managing Director



ASX Compliance Pty Limited
ABN 26 087 780 489
Level 40 Central Park
152-158 St Georges Terrace
PERTH WA 6000

GPO Box D187
Perth WA 6840

Telephone 61 8 9224 0000
Facsimile 61 8 9381 1322
www.asx.com.au

8 July 2014

Mr Neil Marston
Managing Director & Company Secretary
Horseshoe Metals Limited
Ground Floor
24 Mumford Place
BALCATTA WA 6021

By email

Dear Mr Marston

Horseshoe Metals Limited (the "Entity"): ASX aware query

ASX Limited ("ASX") refers to the following:

1. The Entity's announcement entitled "Horseshoe Metals Commences Next Phase of Drilling at Kumarina" lodged with ASX Market Announcements Platform and released at 3:05pm (WST) on Monday, 7 July 2014 (the "Announcement"), disclosing:
 - a) the commencement of a reverse circulation drill programme at the Entity's Kumarina Copper Project ("Commencement of Drilling"); and
 - b) the entry by the Entity into a "controlled placement agreement" with Acuity Capital Investment Management Pty Ltd, to provide the Entity with up to \$1,000,000 in additional funding ("Placement Agreement").
2. The recent change in the price of the Entity's securities from a closing price of \$0.021 on Friday, 4 July 2014, to a closing price of \$0.033 on Monday, 7 July 2014 and a substantial increase in the volume of securities traded over this period.
3. Listing Rule 3.1, which requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities.
4. The definition of "aware" in Chapter 19 of the Listing Rules. This definition states that:

"an entity becomes aware of information if, and as soon as, an officer of the entity (or, in the case of a trust, an officer of the responsible entity) has, or ought reasonably to have, come into possession of the information in the course of the performance of their duties as an officer of that entity."

Additionally, you should refer to section 4.4 in Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B "When does an entity become aware of information"*.

5. Listing Rule 3.1A, which sets out exceptions from the requirement to make immediate disclosure, provided that each of the following are satisfied.

"3.1A Listing rule 3.1 does not apply to particular information while each of the following requirements is satisfied in relation to the information:

3.1A.1 One or more of the following applies:

- It would be a breach of a law to disclose the information;
- The information concerns an incomplete proposal or negotiation;
- The information comprises matters of supposition or is insufficiently definite to warrant disclosure;
- The information is generated for the internal management purposes of the entity; or
- The information is a trade secret; and

3.1A.2 The information is confidential and ASX has not formed the view that the information has ceased to be confidential; and

3.1A.3 A reasonable person would not expect the information to be disclosed."

5. ASX's policy position on the concept of "confidentiality" which is detailed in section 5.8 of Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B* "Listing Rule 3.1A.2 – the requirement for information to be confidential". In particular, the Guidance Note states that:

"Whether information has the quality of being confidential is a question of fact, not one of the intention or desire of the listed entity. Accordingly, even though an entity may consider information to be confidential and its disclosure to be a breach of confidence, if it is in fact disclosed by those who know it, then it ceases to be confidential information for the purposes of this rule."

Having regard to the above, we ask that you answer the following questions in a format suitable for release to the market in accordance with Listing Rule 18.7A:

1. Does the Entity consider the Commencement of Drilling to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
2. If the answer to question 1 is "no", please advise the basis for that view.
3. If the answer to question 1 is "yes", when did the Entity first become aware of the Commencement of Drilling.
4. If the answer to question 1 is "yes" and the Entity first became aware of the Commencement of Drilling before the relevant date, did the Entity make any announcement prior to the relevant date which disclosed the information? If so, please provide details. If not, please explain why this information was not released to the market at an earlier time, commenting specifically on when you believe the entity was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps the Entity took to ensure that the information was released promptly and without delay.
5. Does the Entity consider the entry into the Placement Agreement to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
6. If the answer to question 5 is "no", please advise the basis for that view.
7. If the answer to question 5 is "yes", when did the Entity first become aware of the entry into the Placement Agreement.
8. If the answer to question 5 is "yes" and the Entity first became aware of the entry into the Placement Agreement before the relevant date, did the Entity make any announcement prior to the relevant date which disclosed the information? If so, please provide details. If not, please explain why this information was not released to the market at an earlier time, commenting specifically on when you believe the entity

was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps the Entity took to ensure that the information was released promptly and without delay.

9. Please confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

When and where to send your response

This request is made under, and in accordance with, Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by not later than half an hour before the start of trading (ie **before 7.30 a.m. WST**) on **Thursday, 10 July 2014**. If we do not have your response by then, ASX will have no choice but to consider suspending trading in the Entity's securities under Listing Rule 17.3.

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, the Entity'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.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market.

Your response should be sent to me by e-mail at **Deanna.Carpenter@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.

Listing Rule 3.1

Listing Rule 3.1 requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities. Exceptions to this requirement are set out in Listing Rule 3.1A.

The obligation of the Entity to disclose information under Listing Rules 3.1 and 3.1A is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

In responding to this letter, you should have regard to the Entity's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*.

Trading halt

If you are unable to respond to this letter by the time specified above, you should discuss with us whether it is appropriate to request a trading halt in the Entity'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 may 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*.

If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely

[Sent electronically without signature]

Deanna Carpenter

Adviser, Listings Compliance (Perth)