

30 November 2020

Court Orders Granted Trading to Resume in Company's Securities

Highlights

- **Federal Court grants orders to rectify administrative oversight relating to the lodgement of a cleansing notice following a share placement in early November 2020.**
- **Trading to resume in the Company's securities.**

Bowen Coking Coal Ltd (ASX: BCB, "Company") is pleased to advise that further to its announcements of 24 November 2020, the Company's application to the Federal Court to rectify an administrative oversight relating to the delayed lodgement of a cleansing notice when issuing shares on 9 November 2020 was heard earlier today and the Court has granted the relief sought.

On 24 November 2020, the Company announced that it had sought a trading halt pending further steps being taken by the Company regarding rectification of a technical compliance issue. As previously detailed, this was in relation to the Company's inadvertent failure to lodge a cleansing notice under section 708A(5)(e) of the Corporations Act within the prescribed 5 business day period after the issue of shares on 9 November 2020. The trading halt was granted and on 26 November 2020 the Company requested a voluntary suspension of its securities pending an application to the Court regarding rectification of this technical compliance issue being heard and determined.

The Company lodged its application for relief under section 1322(4)(a), (c) and (d) of the Corporations Act on Thursday 26 November 2020 (**Application**). The Company is pleased to advise that the Application was heard earlier today, and the Court granted the relief sought. A copy of the orders that were granted accompany this announcement (**Orders**).

The Company has requested that the voluntary suspension of trading in the Company's shares be lifted by ASX immediately following the release of this announcement.

The Board of the Company has authorised the release of this announcement to the market.

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ASX Code: BCB

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ABOUT BOWEN COKING COAL

Bowen Coking Coal Ltd is a Queensland based coking coal exploration company with advanced exploration and development assets. The Company owns the Broadmeadow East (100%), Isaac River (100%), Cooroorah (100%), Hillalong (90%) and Comet Ridge (100%) coking coal Projects in the world-renowned Bowen Basin in Queensland, Australia. Bowen Coking Coal is also a joint venture partner with Stanmore Coal Limited in the Lilyvale (15% interest) and Mackenzie (5% interest) coking coal Projects.

The highly experienced Board and management aim to grow the value of the Company's coking coal projects to benefit shareholders by leveraging innovation and maximising the assets and network of the team. An aggressive exploration and development program underpin the business strategy.



Federal Court of Australia
District Registry: Queensland
Division: General

No: QUD368/2020

BOWEN COKING COAL LIMITED ACN 064 874 620
Applicant

ORDER

JUDGE: JUSTICE GREENWOOD

DATE OF ORDER: 30 November 2020

WHERE MADE: Brisbane

THE COURT ORDERS THAT:

1. In respect of the 60,000,000 ordinary fully paid shares of the Applicant, which were issued on 9 November 2020:
 - a. pursuant to section 1322(4)(d) of the *Corporations Act 2001 (Cth)* (**Corporations Act**), the five business days referred to in section 708A(6)(a) of the Corporations Act be extended to 24 November 2020;
 - b. pursuant to section 1322(4)(a) of the Corporations Act, it is declared that a notice under section 708A(5)(e) of the Corporations Act given to the Australian Securities Exchange Limited (**ASX**) in respect of those shares within the period provided for in subparagraph (a) be deemed to take effect as if it had been given to the ASX on the date of issue of those shares;
 - c. pursuant to section 1322(4)(a) of the Corporations Act, it is declared that any offer for sale, or sale of, those shares during the period after their issue to the date of the orders made in this proceeding is not invalid by any reason of:
 - i. any failure of a notice under section 708A(5)(e) of the Corporations Act to exempt the sellers from the obligation of disclosure under the Corporations Act; and
 - ii. the sellers' consequent failure to comply with sections 707(3) or 727(1) of the Corporations Act; and
 - d. pursuant to section 1322(4)(c) of the Corporations Act, any persons to whom any of those shares were issued, or have been sold, and who have in turn on-sold any of those shares, is relived in whole from any civil liability in respect of:



- i. any failure of a notice under section 708A(5)(e) of the Corporations Act to exempt the sellers from the obligation of disclosure under the Corporations Act; and
 - ii. the sellers' consequent failure to comply with sections 707(3) or 727(1) of the Corporations Act.
2. As soon as reasonably practical after orders are made in these proceedings, the Applicant:
 - a. serve a sealed copy of the orders:
 - i. on the Australian Securities and Investments Commission;
 - ii. on the ASX; and
 - iii. by express post on each person to whom the shares in paragraph 1 were issued at the address given by each person for recording on the Applicant's register of members; and
 - b. publish an announcement to the ASX including a sealed copy of the orders made in this proceeding.
3. For a period of 28 days from the date of publication of a copy of the orders made in these proceedings on the ASX website, 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 within that period.
4. There be no order as to costs.

Date that entry is stamped: 30 November 2020.


Registrar