



20 September 2021

Ms Stephanie Patchell  
Adviser, Listings Compliance  
ASX Compliance Pty Limited  
Level 40, Central Park  
152-158 St George's Terrace  
Perth WA 6000

Via email: [Stephanie.Patchell@asx.com.au](mailto:Stephanie.Patchell@asx.com.au)  
[ListingsCompliancePerth@asx.com.au](mailto:ListingsCompliancePerth@asx.com.au)

Dear Stephanie,

**AVZ Minerals Limited - ASX Query Letter – 20 September 2021 Reference: 39884**

I am writing in response to the abovementioned Query Letter with respect to the now deleted post which was published on Twitter at approximately 12.54pm on 20 September 2021 by AVZ Minerals Limited (@AvzMinerals) ('Twitter Post') which stated the following:

*"Positive response received from the Government Secretariat to the Ministry of Justice and Minister of State re @AVZMinerals' Collaboration Agreement. Formal approval of #AVZ's Collaboration Agreement expected in the coming days." ('the Information').*

Please find the Company's response to the questions raised by the ASX as follows:

- 1. Does AVZ consider the Information to be information that a reasonable person would expect to have a material effect on the price or value of its securities?**

No.

- 2. If the answer to question 1 is "no", please advise the basis for that view.**

Whilst the Collaboration Agreement is an important milestone for the Manono Project, the award of the Mining Licence is the critical regulatory approval required for progression of the Manono Project, not the Collaboration Agreement, and, as such, the Company does not expect the award of the Collaboration Agreement to have a material effect on the price or value of AVZ securities in isolation. Note: the information refers to a proposal that is incomplete.

- 3. If the answer to question 1 is "yes", please advise why the Information was not disclosed to the market on the ASX Market Announcements Platform.**

N/A



**4. Did AVZ approve the publication of the Twitter Post?**

Yes

**5. Please explain why the Twitter Post was deleted.**

It was queried by the ASX and to avoid any further misunderstanding the post was removed.

**6. Please confirm that AVZ is complying with the Listing Rules and, in particular, Listing Rule 3.1.**

The Company confirms it is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

**7. Please confirm that AVZ's responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of AVZ with delegated authority from the board to respond to ASX on disclosure matters.**

The Company confirms that its response has been authorised and approved by an officer of the Company that has delegated authority from the Board to respond to ASX disclosure matters.

With regards,



Ben Cohen  
Joint Company Secretary



20 September 2021

Reference: 39884

Mr Ben Cohen  
Company Secretary  
AVZ Minerals Limited

By email: bcohen@avzminerals.com.au

Dear Mr Cohen

**AVZ Minerals Limited ('AVZ'): Query**

ASX refers to the following:

- A. The now deleted post which was published on Twitter at approximately 12.54pm on 20 September 2021 by AVZ Minerals Limited (@AvzMinerals) ('Twitter Post') which stated the following:

*"Positive response received from the Government Secretariat to the Ministry of Justice and Minister of State re @AVZMinerals' Collaboration Agreement.*

*Formal approval of #AVZ's Collaboration Agreement expected in the coming days."*

('the Information').

- B. Listing Rule 3.1, which requires a listed entity to immediately give ASX 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.
- C. 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 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."*

- D. Listing Rule 15.7, which requires that a listed entity not release information which is for release to the market to any person (including the media, even on an embargoed basis) until it has given the information to ASX and received an acknowledgement that ASX has released it to the market.

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## Request for information

Having regard to the above, ASX asks AVZ to respond separately to each of the following questions and requests for information:

1. Does AVZ consider the Information 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”, please advise why the Information was not disclosed to the market on the ASX Market Announcements Platform.
4. Did AVZ approve the publication of the Twitter Post?
5. Please explain why the Twitter Post was deleted.
6. Please confirm that AVZ is complying with the Listing Rules and, in particular, Listing Rule 3.1.
7. Please confirm that AVZ’s responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of AVZ with delegated authority from the board to respond to ASX on disclosure matters.

## When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **7.30am WST Tuesday, 21 September 2021**. 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, AVZ’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 and may require AVZ to request a trading halt immediately.

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

## 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 AVZ’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 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*.

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## **Suspension**

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in AVZ's securities under Listing Rule 17.3.

## **Listing Rules 3.1 and 3.1A**

In responding to this letter, you should have regard to AVZ's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure*: Listing Rules 3.1 – 3.1B. It should be noted that AVZ's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

## **Release of correspondence between ASX and entity**

We reserve the right to release a copy of this letter, your reply and any other related correspondence between us to the market under listing rule 18.7A.

## **Questions**

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely

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**Stephanie Patchell**

Adviser, Listings Compliance (Perth)