

ASX Announcement

8 October 2021

Company Announcements Office
ASX Limited
Exchange Centre
20 Bridge Street
Sydney NSW 2001

Dear Sir/Madam

Court application and delayed cleansing notice

On 2 September 2021, Recce Pharmaceuticals Limited (**Company**) issued 10,000 ordinary fully paid shares in the Company (**Shares**) upon the exercise of unlisted options.

Due to an administrative oversight, the Company inadvertently did not lodge an Appendix 2A and notice (**Cleansing Notice**) under section 708A(5)(e) of the Corporations Act 2001 (Cth) (**Corporations Act**) within five business days of the issue of the Shares and before they were on-sold in potential technical breach of section 707(3) of the Corporations Act.

The Company now attaches a Cleansing Notice in relation to the Shares.

Further to its request for a trading halt on 8 October 2021, the Company confirms that it shortly intends to make an application to the Supreme Court of New South Wales for orders under s 1322 of the Corporations Act providing for an extension of the time to lodge the attached Cleansing Notice and deeming it to be effective from the date on which the Shares were issued and that any sales of the Shares were valid.

It is anticipated that the Company will make its application to the Supreme Court of New South Wales on the morning of Monday, 11 October 2021.

The attached Cleansing Notice will have no effect unless and until the Court has made orders.

The Company advised ASIC and ASX of this oversight and its intention to make the application to the Court on 8 October 2021.

Any affected shareholder may wish to seek independent advice and/or contact the Company directly should they have any queries.

For and on behalf of Recce Pharmaceuticals Limited,



Alistair McKeough
Company Secretary
ASX Announcement



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Notice pursuant to section 708A(5)(e) of the Corporations Act

Recce Pharmaceuticals Limited (the **Company**) issued 10,000 ordinary fully paid shares on 2 September 2021 (the **Shares**) upon the exercise of unlisted options.

The *Corporations Act 2001* (Cth) (**Corporations Act**) restricts the on-sale of securities without disclosure under Chapter 6D of the Corporations Act unless the sale is exempt under section 708 or 708A.

By the Company giving this notice, any sale of the Shares will fall within the exemption contained in section 708A(5) of the Corporations Act.

The Company notifies the Australian Securities Exchange under section 708A(5)(e) of the Corporations Act that:

1. the Company issued the Shares without disclosure to investors under Part 6D.2 of the Corporations Act;
2. as at the date of this notice (and on 2 September 2021 when the Shares were issued), the Company has complied with the provisions of Chapter 2M of the Corporations Act, as they apply to the Company, and section 674 of the Corporations Act; and
3. as at the date of this notice (and on 2 September 2021 when the shares were issued), there is no excluded information of the type referred to in sections 708A(7) or 708A(8) of the Corporations Act that is required to be set out in this notice under section 708A(6)(e) of the Corporations Act.

For and on behalf of Recce Pharmaceuticals Limited,



Alistair McKeough
Company Secretary



Chief Executive Officer

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