

NOTICE UNDER SECTION 708A(5) OF THE CORPORATIONS ACT 2001

This notice is given by TMK Energy Limited (**Company**) under section 708A(5)(e) of the *Corporations Act 2001* (Cth) (**Corporations Act**) in relation to the issue of the following fully paid ordinary shares:

1. 600,000,000 fully paid ordinary shares on 16 December 2022 on conversion of Class A Performance Shares; and
2. 67,031,250 fully paid ordinary shares on 16 December 2022 on conversion of various classes of vested Performance Rights (see Appendix 2A lodged today),

(collectively, the **Shares**).

The Corporations Act restricts the on-sale of securities issued 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 new Shares will fall within the exemption contained in section 708A(5)(e) of the Corporations Act.

The Company hereby gives notice pursuant to section 708A(5)(e) of the Corporations Act that:

1. the Company issued the Shares without disclosure under Part 6D.2 of the Corporations Act; and
2. as at the date of this notice, the Company has complied with:
 - a) the provisions of Chapter 2M of the Corporations Act as they apply to the Company; and
 - b) section 674 of the Corporations Act; and
3. as at the date of this notice, there is no information to be disclosed which is excluded information of the type referred to in sections 708A(7) or 708A(8) of the Corporations Act that is reasonable for investors and their professional advisers to expect to find in a disclosure document.

This announcement has been authorised for lodgement to ASX by the Board.

For more details on the Company please visit www.tmkenergy.com.au

