

19 April 2024

Sean Maloney
Australian Securities Exchange
Level 40, Central Park
152-158 St Georges Terrace
Perth WA 6000

By email: Sean.Maloney@asx.com.au

Dear Mr Maloney

Melodiol Global Health Limited (ASX: ME1) – Aware Letter

We refer to your letter dated 11 April 2024 (“Letter”). Melodiol Global Health Limited (the “Company” or “ME1”) provides the following responses to your questions.

1. Is ME1 able to confirm that in the Director’s Opinion the Annual Report:

(a) Complies with the relevant accounting standards; and

The accounts are audited financial statements, audited by an independent third party that is a large global accounting firm. As such, the board is confident that the Annual Report complies with the relevant accounting standards.

(b) Gives a true and fair view of ME1’s financial performance and position?

Yes, for the reasons stated above.

2. Does ME1 consider that the financial condition of ME1 is sufficient to warrant the continued quotation of its securities and its continued listing as required under listing rule 12.2?

Yes, in fact, ME1 has provided a thoroughly detailed response to a financial condition query from the ASX dated 11 March 2024.

3. If the answer to question 2 is ‘yes’, please explain the basis for this conclusion, commenting specifically on the following:

3.1 ME1’s negative working capital of \$17,498,000 as at 31 December 2023;

ME1 provided a response to this exact question in the financial condition query dated 11 March 2024. That response is copied below for convenience.

There are several limitations to assessing the health of a company, and ME1 specifically, based on its net liabilities.:

- a) ME1 has announced the rationalisation of several non-core assets from the portfolio. As such, the Company expects the net liability position of these business units to be significantly reduced over the course of FY24.*
- b) The Company has a track record of converting existing debts to equity and further*

conversions would reduce the Company's liability position, while having no effect on the asset side of the balance sheet. The Company will endeavour to complete further debt to equity conversions over the course of FY24.

- c) Borrowings are factually correct, numerically, however, the Company has a track record of achieving maturity extensions on these borrowings. The Company will attempt to achieve further maturity extensions of these borrowings during FY24, which would push the maturity dates of these liabilities into the future. Furthermore, the Company announced today that the SBC loan has been assigned to a new investor which has provided the Company a standstill through 31 December 2024.*

The Company assumes that ASX has calculated negative net working capital as current assets less current liabilities.

Several of the comments set out directly above are relevant to this discussion. In particular, liabilities associated with rationalised business units are expected to be reduced in FY24. Furthermore, the Company will attempt to negotiate new maturity dates for borrowings that are considered current liabilities. If successful in these negotiations (which the Company considers likely given its history of being able to negotiate such outcomes), the combination of these factors results in a net working capital deficiency which is distorted when viewed without the background information provided above.

3.2 ME1's cash and cash equivalents as at 31 December 2023 of \$697,000;

ME1 provided a response to this exact question in the financial condition query dated 11 March 2024. That response is copied below for convenience.

There is limited ability to comment on this figure, other than to state that it is factually correct.

3.3 Contractual cash flows of \$16,744,000 anticipated within 1-3 months based on the maturity profile set out in Note 21 of the Annual Report; and

The Company notes that the contractual cash flows do not account for cash, accounts receivable, or inventories on the balance sheet which represent \$5m, or approximately 1/3 of the contractual cash flows referenced above.

Furthermore, the Company regularly agrees to debt for equity conversions with its creditors. The Company is currently in advanced stages of negotiating debt for equity conversions with a variety of creditors. Once these negotiations are finalised and completed, the Company will make any necessary disclosure to the market and, where necessary, seek shareholder approval for the issue of the relevant equity (shares). These debt for equity conversions are anticipated to materially reduce the contractual cash flows referenced above.

A highly significant component of the contractual cash flows outlined above is the Company's secured debt. The Company today expects to announce a maturity extension with SBC and is in the advanced stages of negotiating a maturity extension with the Briant Nominees, and expects to be in a position to announce the details of this extension in the near term. The Company is also in the preliminary stages of negotiating a maturity extension with La Plata. The Company notes that it has been successful in negotiating maturity extensions with La Plata in the past, and will endeavour to do so again.

Furthermore, following the Company's AGM, which is required to be held by 31 May 2024, the Company will have significant capacity to raise further capital as and when required. Additionally, the convertible notes referenced in the Company's press release dated 21 February 2024 are currently in the stage of definitive documentation review, and are anticipated to provide a further source of capital for the Company.

On balance, the combination of the factors described materially changes the size of the contractual cash flows downwards, and the resources available to the Company to meet them upwards.

3.4 The nature of the representations made to ME1's board by its corporate adviser such that ME1's board placed significant reliance on those representations in its determination on going concern

The representations include the Company's corporate advisor's confidence in its ability to continue to raise capital on behalf of ME1 as and when required.

4. If the answer to question 2 is 'no', please explain what steps ME1 has taken, or proposes to take, to warrant the continued quotation of its securities and its continued listing pursuant to Listing Rule 12.2

Not applicable.

5. Does ME1's board consider there are reasonable grounds to believe that ME1 will be able to pay its debts as and when they fall due?

Yes.

6. Please advise how ME1 intends to manage the anticipated contractual cash flows of \$16,744,000 within 1-3 months based on ME1's liability maturity profile contained in Note 21 of the Annual Report?

Refer to the Company's response at 3.3.

7. Does ME1 expect to meet its repayment obligations in respect of the Briant Loans which ASX understands are past their due date for repayment?

Yes.

8. If the answer to question 7 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and that status of any negotiations with Briant in respect of extending payment terms

As stated in the Company's response at 3.3 above, the Company is in the advanced stage of negotiating a maturity extension with Briant. The Company cannot provide confidential details of the negotiation until they are complete and released to the market, which is expected in due course.

- 9. Does ME1 expect to meet its repayment obligations in respect of the SBC Convertible Loan which ASX understands is past its due date for repayment?**

Yes.

- 10. If the answer to question 9 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with SBC in respect of extending repayment terms.**

As stated in the Company's response at 3.3 above, the Company today expects to announce that it has received a standstill on the SBC obligation through 31 December 2024.

- 11. Does ME1 expect to meet its repayment obligations in respect of the Nandil Loan which ASX understands is past its due date for repayment?**

Yes.

- 12. If the answer to question 11 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with Nandil in respect of extending repayment terms.**

As stated in the Company's response at 3.3 above, the Company is in the advanced stage of negotiating a debt for equity conversion with Nandil for its upcoming notice of annual general meeting. The Company cannot provide confidential details of the negotiation until they are complete and released to the market, which is expected in due course.

- 13. Does ME1 expect to meet its repayment obligations in respect of the Corporate Mining Loan which ASX understands is past its due date for repayment?**

Yes.

- 14. If the answer to question 13 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with Corporate Mining in respect of extending repayment terms.**

As stated in the Company's response at 3.3 above, the Company is in the advanced stage of negotiating a debt for equity conversion with Corporate Mining for its upcoming notice of annual general meeting. The Company cannot provide confidential details of the negotiation until they are complete and released to the market, which is expected in due course.

- 15. On what date did ME1 first become aware of the default event in relation to the SBC Convertible Loan?**

SBC has never formally provided the Company with a default notice in respect of the SBC Convertible Loan. The Company is aware of the maturity dates of its debt instruments and that

the maturity dates of the SBC instruments have passed. The Company has been in regular and productive conversations with SBC since and expects to announce a standstill through 31 December 2024 today.

- 16. If ME1 first became aware of the default event in relation to the SBC Convertible Loan before lodging any of the Cleansing Notices on MAP, did ME1 rely on provisions of Listing Rule 3.1A not to release an announcement containing the information on the default event in relation to the SBC Convertible Loan before ME1 lodged its Annual Report on MAP?**

ME1 did not rely on the provisions of Listing Rule 3.1A.

- 17. Does ME1 consider the default event in relation to the SBC Convertible Note to be information that a reasonable person would expect to have a material effect on the price or value of its securities?**

No.

- 18. If the answer to question 17 is 'no', please advise the basis for that view.**

The market would have already been aware of the maturity dates of the SBC facilities as they were previously disclosed. Furthermore, as previously mentioned, SBC never provided the Company with a formal notice of default, and remained in conversations with the Company at all times with a view to reaching amicable solutions. Given the Company's history of achieving standstills and maturity extensions, the Company feels that investors would have expected this to take place again, and therefore not have a material effect on the value or price of its securities. Finally, the Company notes that it expects to announce a standstill through to 31 December 2024 in respect of this facility, today.

- 19. If the answer to question 17 is 'yes' and ME1 first became aware of the default event in relation to the SBC Convertible Loan before the relevant date, did ME1 make any announcement prior to the relevant date which disclosed information in relation to the default event? 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 ME1 was obliged to release the information under listing rules 3.1 and 3.1A and what steps ME1 took to ensure that the information was released promptly and without delay.**

Not applicable.

- 20. On what date did ME1 resolve that the A&F Loan was irrecoverable?**

The Company, alongside its auditors, worked on its annual report right through to the lodgement of accounts. Up until this point, the relevant items in the annual report remained subject to review, comment and change. Until the annual report was finalized and approved by the board (just prior to lodgement), the annual report remained fluid and therefore the Company deems that it resolved that the A&F Loan was irrecoverable on the date that the annual report was lodged.

- 21. Does ME1 consider the decision to deem, the A&F Loan to be irrecoverable to be information**

that a reasonable person would expect to have a material effect on the price or value of its securities?

Yes.

22. If the answer to question 21 is 'no', please advise the basis for that view.

Not applicable.

23. If the answer to question 21 is 'yes', and ME1 first became aware of the resolution to deem the A&F Loan irrecoverable before the relevant date, did ME1 make any announcement prior to the relevant date which disclosed information in relation to the decision to deem the A&F Loan irrecoverable? 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 ME1 was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps ME1 took to ensure that the information was released promptly and without delay.

The information was released to the market as soon as it was resolved.

24. On what date does the Standstill with the Briant Nominees expire?

18 April 2024.

25. On what date did ME1 grant a general security interest over ME1 in favour of the Briant Nominees?

28 March 2024.

26. What actions may Briant Nominees take if repayment of conversion negotiations in respect of the Briant Loans are not satisfactorily concluded by the end of the Standstill?

Briant Nominees may enforce their security over the Company and its other group assets. The group has chosen to continue negotiations at this point, as it has done for some time. The Company notes that per its response at point 3.3 above, it is in the advanced stages of negotiating a maturity extension and expects to complete this in the near term.

27. Does ME1 expect to meet its repayment obligations in respect of the La Plata Notes due for repayment in June 2024?

As noted in the Company's response at point 3.3 above, the Company is in preliminary negotiations with La Plata regarding the extension of maturity for these notes. The Company notes that it has been successful in the past in terms of achieving maturity extensions with La Plata, however no guarantees can be provided that these negotiations will be successful.

28. Please confirm that ME1 is complying with the Listing Rules and, in particular, Listing Rule 3.

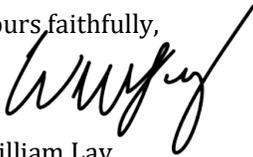
Confirmed.

29. Please confirm that ME1'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 ME1 with delegated authority from the board to respond to ASX on disclosure matters.

Confirmed.

Should you require any further information in relation to this matter, please do not hesitate to contact me.

Yours faithfully,



William Lay
Managing Director



11 April 2024

Reference: 91946

Mr Winton Willesee
Company Secretary
Melodiol Global Health Limited

By email:

Dear Mr Willesee

Melodiol Global Health Limited ('ME1'): Aware Letter

ASX refers to the following:

- A. ME1's annual report to shareholders for the year ended 31 December 2023, released on ASX's Market Announcements Platform ('MAP') on 28 March 2024 ('Annual Report') disclosing the following, among other things:

Financial Metrics:

- i) Cash and cash equivalents of approximately \$692,000;
- ii) A net working capital deficiency of approximately \$17,498,000; and
- iii) Total comprehensive loss for the year of approximately \$51,419,000,

Financing Arrangements:

- i) *At Note 18 – Borrowings: (i) – Secured deed of trust loans*

In relation to the loan facility via Loan Trust Deed between ME1 and Briant Nominees Pty Ltd ('Briant Nominees') ('Briant Loan'):

“Original Repayment date of 21 May 2023.....

...Capacity based on mutual agreement to rollover loans into convertible notes if required conditions are met by 31 January 2023, 24 March 2023, negotiations are ongoing regarding an extension of the loan or potential conversion to convertible loan note”,

- ii) *At Note 18 – Borrowings (i)[sic] – SBC Global Investment Fund:*

In relation to the convertible security agreements with SBC Global Investment Funds ('SBC') ('SBC Convertible Loan'):

“On 26 February 2024, the investor forbear from taking any enforcement actions under the Convertible Security agreements in respect of known present default until 4 March 2024, subject to a payment of \$40,000 in reduction of the amount outstanding under the First Security Agreement no later than 29 February 2024 and \$30,000 in reduction of the amount outstanding under the First Security Agreement no later than 8 March 2024” ('Enforcement Action Forbear'),

- iii) *At Note 18 Borrowings: (ii) – Secured other loans:*

In relation to the commercial loan to Abby&Finn, LLC purchased by ME1 ('A&F Loan'):

“At the year-end, an assessment was made on the recoverability of the A&F loan which stood at US\$2,762,000, it was concluded that the loan was likely to be irrecoverable and therefore provided against” (‘A&F Loan Provision’),

In relation to the existing secured notes held by La Plata Capital LLC (‘La Plata Notes’):

“On 14 June 2023, the Company announced that La Plata had agreed to extend the maturity date of US\$1,782,500 of its existing secured notes to June 2024”,

iv) *At Note 18 Borrowings (iii)[sic] – Unsecured other loans:*

In relation to the Nandil loan of \$225,000 with the repayment date of 15 December 2023 (‘Nandil Loan’):

“On 27 Nov 2023, the company settled a \$100,000 of the loan amount by issuing of 34,435,262 shares. If the loan repayment is not made by due date, interest will accrue at 8% per quarter until both principal and interest amounts are repaid”,

In relation to the Corporate Mining loan of \$366,000 with the repayment date of 21 February 2024 (‘Corporate Mining Loan’):

“the company will pay the Lender interest in the amount of \$183,000 on the earlier of: (i) the Repayment Date; or (ii) the date the Lender demands repayment of the Total Amount Owing”,

v) *At Note 21 Financial Risk Management Objectives and Policies – Remaining contractual maturities:*

ME1 has financial instrument liabilities of approximately \$16,744,000 which reach contractual maturity within 1 to 3 months (‘Debts Due within 3 Months’).

vi) *Going concern note disclosure*

The financial statements have been prepared on the going concern basis, which contemplates continuity of normal business activities and the realisation of assets and discharge of liabilities in the normal course of business.

As disclosed in the financial statements, the Group incurred a loss of \$52,446,000 (2022: \$32,782,000) and had net cash outflows from operating activities of \$8,141,000 (2022: \$17,306,000) for the year ended 31 December 2023. The Group had a deficiency between current assets and current liabilities of \$17,498,000 (2022: \$3,818,000 surplus) as at 31 December 2023.

As a result of these matters, there is a material uncertainty related to events or conditions that may cast significant doubt on whether the Group will continue as a going concern and, therefore, whether it will realise its assets and settle its liabilities and commitments in the normal course of business and at the amounts stated in the financial report.

The continuing viability of the Group and its ability to continue as a going concern and meet its debts and commitments as they fall due are dependent upon the Group being successful with the following factors:

- The ability of the Group to raise additional funds from shareholders, new investors and debt markets. The Group has successfully conducted a number of capital raises in the current and recent years. When taking these into account, there is a reasonable expectation that alternative sources of funding can be sourced, as and when required. Further, the Company understands it will require further funding to continue to execute its growth strategy as planned. In its determination on going concern, the Board placed significant reliance upon the representations of its Corporate Advisor with respect to its confidence in its ability to continue raising capital on behalf of the Company;
- Increased revenue from opportunities with existing and new customers and sales arrangements as they are realised into sales revenue in the Group's North American and European operations, or should this fail the closure of underperforming business units; and
- Effective monitoring and reduction of the Group's overhead expenditures, including the continued realisation of head office cost reductions.

In the event that the Group is unable to achieve the matters detailed above, it may not be able to continue as a going concern and therefore the Group may not be able to realise its assets and extinguish its liabilities in the ordinary course of operations and at the amounts stated in the financial statements.

No adjustments have been made to the recoverability and classification of recorded asset values and the amount and classification of liabilities that might be necessary should the Group and the Company not continue as going concerns.

vii) *Auditor's Report:*

Attached to the Annual Report, the Auditor's report contains a material uncertainty paragraph related to going concern:

'We draw attention to Note 1 in the financial report under the heading 'Going Concern' which outlines the director's assessment in relation to the appropriateness of the going concern basis for the preparation of the financial statements. The matters set out in Note 1 indicate that a material uncertainty exists that may cast significant doubt on the Group's ability to continue as a going concern, and whether it will realise the assets and extinguish its liabilities in the normal course of business, at the amounts stated in the financial report. Our opinion is not modified in respect of this matter.'

- B. ME1's announcement 'Mernova Trading Update' lodged on MAP by ME1 as 'non-price sensitive' and released at approximately 8:30 AM AEDT on 2 April 2024 ('Announcement'), disclosing the following, among other things:

-
- i) *“Pursuant to the terms and conditions of a previous maturity extension agreement provided by the Briant Nominees (refer to press release dated 1 Nov 22) the Company has granted the Briant Nominees a general security interest over the Company”* (‘General Security’); and
- ii) *“the Briant Nominees have issued a 21 day standstill to the Company in order to provide time to negotiate and execute a further extension”* (‘Standstill’).
- C. ME1’s announcement titled Health House Australia and Corporate Update, released at 08:24 AM AEST on 9 April 2024, disclosing that ME1 had received firm commitments to raise \$796,000 via the issue of 180,090,498 shares at an issue price of \$0.00442 per share to be completed by 16 April 2024 (‘April Placement’).
- D. The notices pursuant to Section 708A of the Corporations Act 2001 (the ‘Act’) released by ME1 on MAP, each of which sought to ‘cleanse’ ordinary shares for secondary sale purposes, and stated that there was no excluded information, as defined in section 708A(5)(e), 708A(7) and 708A(8) of the Act as of the date of the notice (‘Cleansing Notice’), on the following dates:
- (i) 7 December 2023;
- (ii) 2 February 2024;
- (iii) 27 February 2024; and
- (iv) 28 February 2024.
- E. Listing Rule 12.2 which states:
- “12.2 An entity’s financial condition (including operating results) must, in ASX’s opinion, be adequate to warrant the continued quotation of its securities and its continued listing.”*
- F. 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.
- G. The definition of “aware” in Chapter 19 of the Listing Rules, which 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” and section 4.4 in Guidance Note 8 Continuous Disclosure: Listing Rules 3.1 – 3.1B “When does an entity become aware of information.”*
- H. 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.”*
- I. 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*. 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.”*
- J. ASX’s guidelines on the contents of announcements under Listing Rule 3.1, which is detailed in section 4.15 of *Guidance Note 8: Continuous Disclosure: Listing Rules 3.1 – 3.1B*. In particular, the Guidance Note states that ASX would generally expect an announcement about the signing of a market sensitive contract with a customer to include information about:
- *“the name of the customer;*
 - *the term of the contract;*
 - *the nature of the products or services to be supplied to the customer;*
 - *the significance of the contract to the entity;*
 - *any material conditions that need to be satisfied before the customer becomes legally bound to proceed with the contract; and*
 - *any other material information relevant to assessing the impact of the contract on the price or value of the entity’s securities.”*
- K. Listing Rule 19.11A, which states:
- 19.11A *If a listing rule requires an entity to give ASX +accounts, the following rules apply.*
- (a) *If the entity controls an entity within the meaning of section 50AA of the Corporations Act or is the holding company of an entity, required by any law, regulation, rule or accounting standard, or if ASX requires, the +accounts must be consolidated +accounts.*
- (b) *The +accounts must be prepared to Australian accounting standards. If the entity is a +foreign entity the +accounts may be prepared to other standards agreed by ASX.*
- (c) *If the listing rule requires audited +accounts, the audit must be conducted in accordance with Australian auditing standards by a registered company auditor. If the entity is a +foreign entity, the audit may be conducted in accordance with other standards agreed by ASX and may be conducted by an overseas equivalent of a registered company auditor.*
- (d) *If the listing rule requires +accounts to be reviewed, the review must be conducted in accordance with Australian auditing standards. If the entity is a +foreign entity, the review may be conducted in accordance with other standards agreed by ASX. Unless the listing rule says an independent accountant may conduct the review, it must be conducted by a registered company auditor (or, if the entity is a +foreign entity, an overseas equivalent of a registered company auditor).*

-
- (e) *If there is a +directors' declaration that relates to the +accounts, the +directors' declaration must be given to ASX with the +accounts.*
- (f) *If there is a +directors' report that relates to the period covered by the +accounts, the +directors' report must be given to ASX with the +accounts.*

Request for information

Having regard to the above, ASX asks ME1 to respond separately to each of the following questions and requests for information:

Annual Report & Financial Condition

1. Is ME1 able to confirm that in the Director's Opinion the Annual Report:
 - (a) complies with the relevant Accounting Standards; and
 - (b) gives a true and fair view of ME1's financial performance and position?
2. Does ME1 consider that the financial condition of ME1 is sufficient to warrant the continued quotation of its securities and its continued listing as required under Listing Rule 12.2?
3. If the answer to question 2 is 'yes', please explain the basis for this conclusion, commenting specifically on the following:
 - 3.1 ME1's negative working capital of \$17,498,000 as at 31 December 2023;
 - 3.2 ME1's cash and cash equivalents as at 31 December 2023 of \$697,000;
 - 3.3 contractual cash flows of \$16,744,000 anticipated within 1-3 months based on the maturity profile set out in Note 21 of the Annual Report; and
 - 3.4 the nature of the representations made to ME1's board by its corporate adviser such that ME1's board placed significant reliance on those representations in its determination on going concern.
4. If the answer to question 2 is 'no', please explain what steps ME1 has taken, or proposes to take, to warrant the continued quotation of its securities and its continued listing pursuant to Listing Rule 12.2?
5. Does ME1's board consider there are reasonable grounds to believe that ME1 will be able to pay its debts as and when they become due and payable?

Loan Agreements & Debt Repayment

6. Please advise how ME1 intends to manage the anticipated contractual cash flows of \$16,744,000 within 1-3 months based on ME1's liability maturity profile contained in Note 21 of the Annual Report?
7. Does ME1 expect to meet its repayment obligations in respect of the Briant Loans which ASX understands are past their due date for repayment?
8. If the answer to question 7 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with Briant in respect of extending repayment terms.
9. Does ME1 expect to meet its repayment obligations in respect of the SBC Convertible Loan which ASX understands is past its due date for repayment?
10. If the answer to question 9 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with SBC in respect of extending repayment terms.

-
11. Does ME1 expect to meet its repayment obligations in respect of the Nandil Loan which ASX understands is past its due date for repayment?
 12. If the answer to question 11 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with Nandil in respect of extending repayment terms.
 13. Does ME1 expect to meet its repayment obligations in respect of the Corporate Mining Loan which ASX understands is past its due date for repayment?
 14. If the answer to question 13 is 'yes', please provide the basis for that view, commenting specifically on ME1's working capital deficiency, cash and cash equivalents on hand at 31 December 2023 and the status of any negotiations with Corporate Mining in respect of extending repayment terms.

SBC Convertible Loan

15. On what date did ME1 first become aware of the default event in relation to the SBC Convertible Loan?
16. If ME1 first became aware of the default event in relation to the SBC Convertible Loan before lodging any of the Cleansing Notices on MAP, did ME1 rely on the provisions of Listing Rule 3.1A not to release an announcement containing the information on the default event in relation to the SBC Convertible Loan before ME1 lodged its Annual Report on MAP?
17. Does ME1 consider the default event in relation to the SBC Convertible Note to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
18. If the answer to question 17 is 'no', please advise the basis for that view.
19. If the answer to question 17 is 'yes' and ME1 first became aware of the default event in relation to the SBC Convertible Loan before the relevant date, did ME1 make any announcement prior to the relevant date which disclosed information in relation to the default event? 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 ME1 was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps ME1 took to ensure that the information was released promptly and without delay.

A&F Loan

20. On what date did ME1 resolve that the A&F Loan was irrecoverable?
21. Does ME1 consider the decision to deem the A&F Loan to be irrecoverable to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
22. If the answer to question 21 is 'no', please advise the basis for that view.
23. If the answer to question 21 is 'yes' and ME1 first became aware of the resolution to deem the A&F Loan irrecoverable before the relevant date, did ME1 make any announcement prior to the relevant date which disclosed information in relation to the decision to deem the A&F Loan irrecoverable? 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 ME1 was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps ME1 took to ensure that the information was released promptly and without delay.

Briant Nominees

24. On what date does the Standstill with Briant Nominees expire?
25. On what date did ME1 grant a general security interest over ME1 in favour of Briant Nominees?

26. What actions may Briant Nominees take if repayment or conversion negotiations in respect of the Briant Loans are not satisfactorily concluded by the end of the Standstill?

La Plata Notes

27. Does ME1 expect to meet its repayment obligations in respect of the La Plata Notes due for repayment in June 2024?

28. Please confirm that ME1 is complying with the Listing Rules and, in particular, Listing Rule 3.1.

29. Please confirm that ME1'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 ME1 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 **2:00 PM AWST Friday, 19 April 2024**. 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, ME1'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 ME1 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 ME1's securities under Listing Rule 17.1. If you wish to request 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*.

Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in ME1's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to ME1'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 ME1'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

ASX reserves the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

Yours sincerely

ASX Compliance