



Shark Mitigation Systems Limited
ABN 77 149 970 445

Registered office
Level 2 55 Carrington Street
Nedlands WA 6009

Postal address
PO Box 985
Nedlands WA 6909

Tel: +61 8 9423 3200
Fax: +61 8 9389 8327

20 February 2017

Dawn James
Senior Advisor
ASX Compliance Pty Ltd
Level 40 Central Park
152 – 158 St George's Terrace
Perth
WA 6000

Dear Ms James

RE: SHARK MITIGATION SYSTEMS LIMITED ("ENTITY"): ASX PRICE QUERY

We refer to your letter on the above subject matter, dated 20 February 2017, and attached. The responses to your questions are below:

1. *Is the Entity aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in securities?*

Answer: No

2. *If the answer to question 1 is "yes":*

Answer: Not applicable

3. *If the answer to question 1 is "no", is there any other explanation that the Entity may have for the recent trading in its securities?*

Answer: We are not aware of any other explanation that may have affected recent trading.

4. *Please confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.*

Answer: I confirm that Shark Mitigation Systems Limited is in compliance with the Listing Rules and, in particular, Listing Rule 3.1

5. *Please confirm that the Entity'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 office of the entity with delegated authority from the board to respond to the ASX on disclosure matters.*

Answer: I confirm that the responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy and by its board to respond to the ASX on disclosure matters.

Yours sincerely,

David M McArthur
Director



20 February 2017

Mr David McArthur
Company Secretary
Shark Mitigation Systems Limited

By email:

Dear Mr McArthur

Shark Mitigation Systems Limited ("SM8"): price query

We note the change in the price of SM8's securities from a high of \$0.15 on Wednesday 15 February 2017 to a low of \$0.0.125 on Friday 17 February 2017.

In light of this, ASX asks SM8 to respond separately to each of the following questions and requests for information:

1. Is SM8 aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?

In responding to this question, please consider in particular whether SM8 is aware of any information that its earnings for the 6 month period ending on 31 December 2016:

- a) are likely to differ materially (downwards or upwards) from any earnings guidance it has given for the period; or
- b) if SM8 has not given any earnings guidance for the period, are otherwise likely to come as a surprise to the market (by reference to analyst forecasts for the period or, if SM8 is not covered by analysts, its earnings for the prior corresponding period)?

2. If the answer to question 1 is "yes":

- a) Is SM8 relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?

Please note that the recent trading in SM8's securities would suggest to ASX that such information may have ceased to be confidential and therefore SM8 may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.

- b) Can an announcement be made immediately?

Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).

- c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?

3. If the answer to question 1 is “no”, is there any other explanation that SM8 may have for the recent trading in its securities?
4. Please confirm that SM8 is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that SM8’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 SM8 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, and in accordance with, Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by not later than 10:00 am WST today, Monday 20 February 2017. If we do not have your response by then, ASX will have no choice but to consider suspending trading in SM8’s securities under Listing Rule 17.3.

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, SM8’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.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market.

Your response should be sent to me by e-mail at Dawn.James@asx.com.au and copied to tradinghaltsperth@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.

Listing Rules 3.1 and 3.1A

Listing Rule 3.1 requires a listed entity to give ASX immediately 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. Exceptions to this requirement are set out in Listing Rule 3.1A.

In responding to this letter, you should have regard to SM8’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 SM8’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.

Trading halt

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is “yes” and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in SM8’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 may 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*.

If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely

[Sent electronically without signature]

Dawn James
Adviser, Listings Compliance
P: 08 9224 0012