

30 October 2017

Elizabeth Harris
Principal Adviser, Listings Compliance (Perth)
Australian Securities Exchange
Level 40, Central Park
152 St Georges Terrace
PERTH WA 6000

BY EMAIL: Elizabeth.Harris@asx.com.au

# MUSTANG RESOURCES LIMITED (MUS) PRICE QUERY

Dear Elizabeth,

We refer to your letter dated 30 October 2017 querying the change in price of MUS shares (Letter).

Prior to responding to the price query request, MUS considers that it is important that it clarify the events leading up to the suspension of its shares from trading on Monday, 30 October 2017.

The rough ruby tender took place from Friday, 27 October 2017, 9am local time in Mauritius, running over the weekend to Monday, 30 October 2017. The tender was undertaken by way of 'sealed bids' where all bids are made by registered participants and are delivered to a sealed tender box monitored by an independent security company. The results of the tender are therefore unknown until all bids are opened and the highest bid above the minimum reserve price is determined. MUS's Managing Director, Company Secretary/CFO and other members of management and the Board are attending the tender in Mauritius.

As at the opening of trading on Monday, 30 October 2017, the tender had not yet closed and therefore no results had been published or made available. The results of the tender are expected in the evening (Perth time) on Monday, 30 October 2017. Therefore, as at the open of trading on Monday, 30 October 2017, there was no information MUS was capable of reporting to the market.

Notwithstanding the above, in order to ensure an orderly market pending the announcement of the tender resuts, on Saturday, 28 October 2017, MUS, through its Company Secretary, sent a request for a trading halt to the designated email address at ASX for the lodgment of trading halts (**Trading Halt Request**). MUS has evidence that the email containing the Trading Halt Request was sent from the email server of the Company Secretary and delivered at ASX on 16h18 WST. However, after the commencement of trading on Monday, 30 October 2017, in discussions with ASX, it became apparent that ASX had not received the Trading Halt Request for reasons still unknown to MUS or ASX.

A copy of the Trading Halt Request is annexed to this letter.

MUS reiterates that the Trading Halt Request was intended to ensure an orderly market pending the announcement of the tender results, albeit that the results of the auction were not yet known. For this reason,

MUSTANG RESOURCES LIMITED

Level 10, 20 Martin Place, Sydney NSW 2000 Australia

MUS had determined to take a cautious approach to lodge the Trading Halt Request until it had been informed of the results of the tender and it could make an announcement to the market.

In response to your specific questions outlined in the Letter, we provide the following information:

- 1. As per the Trading Halt Request, notwithstanding that there was no information known that MUS could announce to the market, MUS's preference was that its securities be placed into trading halt as per the Trading Halt Request until it had been notified of the results of the tender and could make an announcement to the market.
- 2. MUS expects to receive official notification of the outcome of the tender this afternoon 5pm (Perth time), 30 October 2017, following which it will prepare an announcement informing the market of the outcome of the tender. As per the Trading Halt Request, MUS had requested its shares be placed into a trading halt until the earlier of 1 November 2017 or it making an announcement in relation to those results.
- 3. Not applicable.
- 4. MUS believes that it has taken all steps to ensure compliance with ASX Listing Rule 3.1, specifically by making the Trading Halt Request to ensure an orderly market pending the release of the tender results. On the basis that it was unaware of any information it could release to the market relating to the results of the tender MUS believes that it remains in compliance with the Listing Rules, including Listing Rule 3.1.
- 5. I confirm that the responses to the questions above have been authorised and approved by MUS's Board.

Please do not hesitate to contact me if further information is required.

Yours sincerely,

Christiaan Jordaan Managing Director



28 October 2017

ASX Limited Attention James Rowe Level 40 Central Park 152 - 158 St Georges Terrace PERTH WA 6000

Via e mail; tradinghaltsperth@asx.com.au & james.rowe@asx.com.au

**Dear James** 

#### **Trading Halt**

Pursuant to ASX Listing Rule 17.1 Mustang Resources Limited (**Mustang** or the **Company**) (ASX Code: **MUS**) requests that an immediate trading halt be put on its securities, pending an ASX announcement.

In accordance with Listing Rule 17.1, the Company advises:

- a) the reason for the trading halt is to facilitate an orderly market in the Company's securities pending an announcement in relation to the Company's inaugural ruby tender results:
- b) the trading halt is to last until the earlier of the Company releasing an announcement or the commencement of trade on 1 November 2017. We expect that the trading halt will be ended by the Company making an announcement of the kind referred to above; and
- c) the Company is not aware of any reason why the trading halt should not be granted or of any other information necessary to inform the market about the trading halt.

Please call the undersigned if you have any queries in relation to this request.

Yours faithfully

Robert Marusco Company Secretary



30 October 2017

Mr Robert Marusco Company secretary Mustang Resources Limited Level 10 20 Martin Place Sydney NSW 2000

By Email: robertmarusco@mvpfinancial.com.au

Dear Mr Marusco

# Mustang Resources Limited ("MUS"): Price Query

We note a change in the price of MUS's securities from a closing price of \$0.145 on Friday 27 October 2017 to an intra-day price today of \$0.096.

We also note an increase in the trading volume of MUS's securities today to a level that is significantly above the average trading volume on days when MUS's securities are traded.

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

- 1. Is MUS 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?
- 2. If the answer to question 1 is "yes":
  - a) Is MUS relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?
    - Please note that the recent trading in MUS's securities would suggest to ASX that such information may have ceased to be confidential and therefore MUS 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 MUS may have for the recent trading in its securities?
- 4. Please confirm that MUS is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.



5. Please confirm that MUS'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 MUS 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 10:30 am AWST today Monday 30 October 2017.

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, MUS'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 at <u>Elizabeth.Harris@ASX.com.au</u> copying in <u>TradingHaltsPerth@asx.com.au</u>. It should <u>not</u> 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 MUS'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 MUS'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.

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

Yours sincerely

[Sent electronically without signature]

Elizabeth Harris

**Principal Adviser, Listings Compliance (Perth)**