

27 May 2015

Ben Tippet  
Adviser, Listing Compliance  
ASX Compliance Pty Limited  
Level 40, Central Park  
152-158 St Georges Terrace  
PERTH WA 6000

Dear Mr Tippet

**Your letter dated 27 May re Appendix 3Y**

In response to your questions in your letter to Brierty Limited on the 27<sup>th</sup> May 2015:

1. The Appendix 3Y was lodged late due to an oversight when the options expired. As there was no trade by the relevant director, no notification was required to be given to the Company Secretary.
2. The Company has a policy that Director's must notify the Company Secretary of any trading they undertake in the securities of the Company at the time of the trade.
3. The Company has implemented changes to monitor when options expire in the future to ensure an Appendix 3Y is lodged within the required 5 Business Days allowed by Listing Rule 3.19A.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ian Sydney", is positioned above the typed name and title.

**Ian Sydney**  
CFO/Company Secretary

**BRIERTY LIMITED**



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27 May 2015

Ian Sydney  
Company Secretary  
Brierty Limited  
38 Mandarin Road  
Maddington WA 6109

Dear Mr Sydney

**Brierty Limited (the "Company")**

I refer to the following:

1. The Company's announcement lodged with ASX Ltd ("ASX") on 26 May 2015 regarding a change of director's interest notice for Peter McBain ("Appendix 3Y").
2. Listing rule 3.19A which requires an entity to tell ASX the following:

3.19A.1 *The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the following times:*

- *On the date that the entity is admitted to the official list.*
- *On the date that a director is appointed.*

*The entity must complete an Appendix 3X and give it to ASX no more than 5 business days after the entity's admission or a director's appointment.*

3.19A.2 *A change to a notifiable interest of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust). The entity must complete an Appendix 3Y and give it to ASX no more than 5 business days after the change occurs.*

3.19A.3 *The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the date that the director ceases to be a director. The entity must complete an Appendix 3Z and give it to ASX no more than 5 business days after the director ceases to be a director.*

3. Listing rule 3.19B which states as follows.

*An entity must make such arrangements as are necessary with a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) to ensure that the director discloses to the entity all the information required by the entity to give ASX completed Appendices 3X, 3Y and 3Z within the time period allowed by listing rule 3.19A. The entity must enforce the arrangements with the director.*

4. The Companies Update dated 27 June 2008, reminding listed entities of their obligation to notify ASX within 5 business days of the notifiable interests in securities held by each director and outlining the action that ASX would take in relation to breaches of listings rules 3.19A and 3.19B.

As the Appendix 3Y indicates that the relevant change occurred on 7 March 2015, it appears that the Company may be in breach of listing rules 3.19A and/or 3.19B.

Please note that ASX is required to record details of breaches of the listing rules by listed companies for its reporting requirements.

ASX reminds the Company of its contract with ASX to comply with the listing rules. In the circumstances ASX considers that it is appropriate that the Company make necessary arrangements to ensure there is not a reoccurrence of a breach of the listing rules.

Having regard to listing rules 3.19A and 3.19B and Guidance Note 22: "Director Disclosure of Interests and Transactions in Securities - Obligations of Listed Entities", we ask that you answer each of the following questions.

1. Please explain why the Appendix 3Y was lodged late.
2. What arrangements does the Company have in place with its directors to ensure that it is able to meet its disclosure obligations under listing rule 3.19A?
3. If the current arrangements are inadequate or not being enforced, what additional steps does the Company intend to take to ensure compliance with listing rule 3.19B?

Your response should be sent to me by e-mail to Ben.Tippett@asx.com.au. It should not be sent to the Company Announcements Office.

A response is requested as soon as possible and, in any event, not later than **3:00 pm WST on Friday 29 May 2015**.

Under listing rule 18.7A, a copy of this query and your response will be released to the market, so your response should be in a form suitable for release and must separately address each of the questions asked. If you have any queries or concerns, please contact me immediately.

Yours sincerely,

*[sent electronically without signature]*

Ben Tippett  
**Adviser, Listings Compliance (Perth)**