

4 November 2014

Mr Andrew Weaver Senior Adviser, Listings (Compliance) ASX Compliance Pty Ltd 20 Bridge St Sydney NSW 2000

Dear Andrew

## Re Appendix 3Y - DataDot Technology Limited (the "Company")

With reference to your letter of 3 November, the answer to each of the questions addressed to the Company is as follows:

- 1. In February 2014 the director instructed his broker to purchase 325,000 shares. The broker executed this instruction in two tranches, purchasing 147,060 shares on 21 February and the balance of 178,940 on 25 February. The broker informed the director it had purchased the first tranche, the director duly reported it to the company and the company disclosed it to the market on 24 February. However, the broker did not expressly inform the director it had purchased the second tranche and the director did not follow up with the broker. The director was not aware that he had purchased the second tranche until he reviewed his total shareholding after purchasing additional shares in the company's recent Share Purchase Plan.
- 2. As a matter of Company policy directors are required to notify the Company Secretary of any change in shareholding at the time the change is made and to confirm such notification at the next Board meeting.
- 3. As the company's compliance policies are adequate, the Chairman will counsel directors as to their reporting obligations under those policies.

Yours sincerely

Graham Loughlin Company Secretary

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3 November 2014

Graham Loughlin Company Secretary DataDot Technology Limited Unit 9, 19 Rodborough Road Frenchs Forest NSW 2086

Dear Graham

## APPENDIX 3Y QUERY

We refer to the following;

- 1. The Appendix 3Y lodged by DataDot Technology Limited (the "Company") with ASX Limited ("ASX") on 3 November 2014 for Mr Gary Flowers (the "Appendix").
- 2. Listing rule 3.19A.2 which requires an entity to tell ASX the following:

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 Appendix 3Y and give it to ASX no more than 5 business days after the change occurs.

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 3.19.A. 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.

The Appendix indicates that a change in Mr Flowers' notifiable interest occurred on 25 February 2014. It appears that the Appendix should have been lodged with ASX by 4 March 2014. Consequently, the Company may be in breach of listing rules 3.19A and/or 3.19B. It also appears that Mr Flowers may have breached section 205G of the Corporations Act.

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 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?
- 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. It should <u>not</u> be sent to the Company Announcements Office.

A response is requested as soon as possible and, in any event, not later than close of business (i.e. before 5 p.m. A.E.D.T.) on Wednesday, 5 November 2014.

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 should separately address each of the questions asked. If you have any queries or concerns, please contact me immediately

Yours sincerely,

**Andrew Weaver** 

Senior Adviser, Listings Compliance (Sydney)