



2 June 2009

**Non-Renounceable Rights Issue  
Notice under s708AA(2)(f) of the Corporations Act 2001**

Apex Minerals NL (**Company**) confirms that the fully underwritten non-renounceable pro-rata offer of 2 new ordinary shares for every 15 shares held on the Record Date announced on 18 May 2009 (**Rights Issue**) is being made without a disclosure document pursuant to section 708AA of the *Corporations Act 2001 (Cth)* (**Act**).

In accordance with the requirements of section 708AA(2)(f) of the Act, under which this notice is given, the Company confirms that:

1. The Company will offer the new ordinary shares (**New Shares**) for issue without disclosure to investors under Part 6D.2 of the Act.
2. This notice is being given under section 708AA(2)(f) of the Act.
3. As at the date of this notice, the Company has complied with:
  - (a) the provisions of Chapter 2M of the Act as they apply to the Company; and
  - (b) section 674 of the Act.
4. As at the date of this notice there is no excluded information of the type referred to in sections 708AA(8) and 708AA(9) of the Act.
5. The issue of New Shares pursuant to the Rights Issue is not expected to have any material effect or consequence on the control of the Company other than a possible increase in the relevant interest of Mr Mark Creasy and companies which he controls (**Creasy**) in the shares of the Company, details of which are set out below.
  - (a) Creasy controls Legend Mining Limited (**Legend**) and he will have a relevant interest in any shares acquired by Legend. Because of the participation by Legend as a sub-underwriter of the Rights Issue, Creasy may increase his relevant interest in the Company's shares.
  - (b) As at the date of this notice, Creasy has a relevant interest in 9.52% of the issued share capital of the Company. The maximum relevant interest in the issued share capital of the Company which Creasy may acquire should Legend acquire the maximum amount of shares possible under the Rights Issue and its sub-underwriting arrangement is 12.01%. Legend may acquire up to a maximum shareholding of 4.37% of the Company's issued share capital upon completion of the Rights Issue.

Yours faithfully

Mark Ashley  
Managing Director