



18 May 2016

The Manager Companies
ASX Limited
20 Bridge Street
Sydney NSW 2000

Dear Madam,

Cockatoo Coal Limited ACN 112 682 158 (COK)
Baralaba Coal Pty Ltd ACN 009 805 029
Wonbindi Coal Pty Ltd ACN 114 668 941
(all subject to Deed of Company Arrangement) (together the Companies)

Reliance on Australian Securities Investment Commission (ASIC) Extension of Temporary Financial Reporting Relief

We refer to the ASX Announcement dated 1 February 2016 regarding the Administrators of COK relying on ASIC Corporations (External-administration) Instrument 2015-251 which temporarily relieves companies from certain financial reporting obligations for 6 months following the appointment of Administrators. As the Administrators of COK were appointed on 16 November 2015, the temporary relief was due to expire on 17 May 2016.

Attached to this ASX Announcement are the following ASIC instruments:

- ASIC Instrument 16-0410 relating to COK;
- ASIC Instrument 16-0412 relating to Baralaba Coal Pty Limited (subject to a Deed of Company Arrangement); and
- ASIC Instrument 16-0413 relating to Wonbindi Coal Pty Limited (subject to a Deed of Company Arrangement)

(each an **ASIC Instrument** and together, the **ASIC Instruments**).

We now advise that the Administrators will rely on the attached ASIC Instruments which relieve the Companies from certain financial reporting obligations until the earlier of:

- the day that is 24 months after the date of the ASIC Instrument; and
- the date that the entity ceases to be under a Deed of Company Arrangement.

In this regard, we refer to the ASX Announcement of 13 May 2016 which anticipates that the Deed of Company Arrangement relating to the Companies will be effectuated on 27 May 2016.

Martin Ford
Deed Administrator

**Australian Securities and Investments Commission
Corporations Act 2001 - Subsection 340(1) - Order**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 340(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This Order is ASIC Instrument [16-0410].

Commencement

3. This instrument commences on the day it is signed.

Order

4. Cockatoo Coal Limited (Subject to Deed of Company Arrangement) ACN 112 682 158 (the *Company*) does not have to comply with any of the following obligations under Part 2M.3 of the Act:
 - (a) report to members of the Company under section 314 within the time required by section 315;
 - (b) send reports to a member of the Company in accordance with a request under subsection 316(1) within the time required by subsection 316(2);
 - (d) lodge reports with ASIC under subsection 319(1) within the time required by subsection 319(3);
 - (e) lodge half-year reports with ASIC under subsection 320(1) within the time required by that subsection;

in relation to:

- (f) the half-year of the Company ended 31 December 2015; and
- (g) any other half-year or financial year of the Company ending during the deferral period.

This paragraph applies until the last day of the deferral period.

Conditions

5. The Company:
 - (a) must comply with any obligation to which paragraph 4 applies by no later than the last day of the deferral period;

- (b) must arrange for a notice explaining the relief granted by this instrument to be published:
 - (i) both:
 - (A) in a prominent place on the Company's website (if any); and
 - (B) in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator; and
 - (ii) if the Company is listed on a prescribed financial market—on a website maintained by the operator of the financial market;
 - (c) must have adequate arrangements in place to answer, within a reasonable period of time and without charge, any reasonable questions asked by a member of the Company about the external administration.
6. The Company need not comply with the condition specified in subparagraph 5(a) (other than an obligation under subsection 319(1) or subsection 320(1)) if, by no later than the last day of the deferral period, the Company arranges for a prescribed notice to be published: both:
- (a) in a prominent place on the Company's website; and
 - (b) in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator;
7. This order will cease to apply in relation to a half-year or financial year of the Company from the date of any failure to comply with a condition in paragraph 5 (subject to paragraph 6) in relation to the financial year or half-year.

Interpretation:

In this instrument:

deferral period means the period starting on the date of this instrument and ending on whichever is the earlier of:

- (a) the day that is 24 months after the date of this instrument; and
- (b) the date that the Company ceases to be under a Deed of Company Arrangement.

external administration means where an external administrator has been appointed to the Company.

external administrator means:

- (a) an administrator of the Company appointed under s436A, 436B or 436C of the Act;
- (b) where the Company has executed a deed of company arrangement that has not yet terminated, the administrator of the deed appointed under Part 5.3A of the Act;
- (c) a provisional liquidator of the Company; or
- (d) a managing controller appointed in relation to property of the Company.

External Administrator means Grant Sparks, Stephen Longley and Martin Ford, joint and several administrators, appointed as Deed Administrators to the Company under subsection 436A of the Act on 15 March 2016.

prescribed notice means a notice that contains statements to the following effect:

- (a) the reports for the relevant financial years of the Company have been lodged with ASIC; and
- (b) the Company will send copies of the reports to a member of the Company free of charge if the member asks for the reports in writing; and
- (c) the reports are available for download on the relevant website together with a hypertext link to the reports.

Dated: 17 May 2016



Signed by Kyle Wright
as a delegate of the Australian Securities and Investments Commission

**Australian Securities and Investments Commission
Corporations Act 2001 - Subsection 340(1) - Order**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 340(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This Order is ASIC Instrument [16-0412].

Commencement

3. This instrument commences on the day it is signed.

Order

4. Baralaba Coal Pty Ltd (Subject to Deed of Company Arrangement) ACN 009 805 029 (the *Company*) does not have to comply with any of the following obligations under Part 2M.3 of the Act:

- (a) report to members of the Company under section 314 within the time required by section 315;
- (b) send reports to a member of the Company in accordance with a request under subsection 316(1) within the time required by subsection 316(2);
- (d) lodge reports with ASIC under subsection 319(1) within the time required by subsection 319(3);

in relation to:

- (e) any financial year of the Company ending during the deferral period.

This paragraph applies until the last day of the deferral period.

5. The Company does not have to comply with an obligation under Part 2M.3 of the Act of a kind specified in paragraph 4 in relation to the financial years ended 30 June 2014 and 30 June 2015, but only to the extent that the Part would have imposed, but for this paragraph 5, a continuing obligation on the Company in relation to the relevant financial year. This paragraph applies until the last day of the deferral period.

Conditions

6. The Company:
 - (a) must comply with any obligation to which paragraph 4 and 5 applies by no later than the last day of the deferral period;

- (b) must arrange for a notice explaining the relief granted by this instrument to be published:
 - (i) both:
 - (A) in a prominent place on the Company's website (if any); and
 - (B) in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator; and
 - (ii) if the Company or the Company's holding company is listed on a prescribed financial market—on a website maintained by the operator of the financial market;
 - (c) must have adequate arrangements in place to answer, within a reasonable period of time and without charge, any reasonable questions asked by a member of the Company about the external administration.
7. The Company need not comply with the condition specified in subparagraph 6(a) (other than an obligation under subsection 319(1)) if, by no later than the last day of the deferral period, the Company arranges for a prescribed notice to be published: both:
- (a) in a prominent place on the Company's website; and
 - (b) in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator;
8. This order will cease to apply in relation to a financial year of the Company from the date of any failure to comply with a condition in paragraph 6 (subject to paragraph 7) in relation to the financial year.

Interpretation:

In this instrument:

deferral period means the period starting on the date of this instrument and ending on whichever is the earlier of:

- (a) the day that is 24 months after the date of this instrument; and
- (b) the date that the Company ceases to be under a Deed of Company Arrangement.

external administration means where an external administrator has been appointed to the Company.

external administrator means:

- (a) an administrator of the Company appointed under s436A, 436B or 436C of the Act;
- (b) where the Company has executed a deed of company arrangement that has not yet terminated, the administrator of the deed appointed under Part 5.3A of the Act;
- (c) a provisional liquidator of the Company; or
- (d) a managing controller appointed in relation to property of the Company.

External Administrator means Grant Sparks, Stephen Longley and Martin Ford, joint and several administrators, appointed as Deed Administrators to the Company under subsection 436A of the Act on 15 March 2016.

prescribed notice means a notice that contains statements to the following effect:

- (a) the reports for the relevant financial years of the Company have been lodged with ASIC; and
- (b) the Company will send copies of the reports to a member of the Company free of charge if the member asks for the reports in writing; and
- (c) the reports are available for download on the relevant website together with a hypertext link to the reports.

Dated: 17 May 2016



Signed by Kyle Wright
as a delegate of the Australian Securities and Investments Commission

**Australian Securities and Investments Commission
Corporations Act 2001 - Subsection 340(1) - Order**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 340(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This Order is ASIC Instrument [16-0413].

Commencement

3. This instrument commences on the day it is signed.

Order

4. Wonbindi Coal Pty Limited (Subject to Deed of Company Arrangement) ACN 114 668 941 (the *Company*) does not have to comply with any of the following obligations under Part 2M.3 of the Act:
 - (a) report to members of the Company under section 314 within the time required by section 315;
 - (b) send reports to a member of the Company in accordance with a request under subsection 316(1) within the time required by subsection 316(2);
 - (d) lodge reports with ASIC under subsection 319(1) within the time required by subsection 319(3);

in relation to:

- (e) any financial year of the Company ending during the deferral period.

This paragraph applies until the last day of the deferral period.

5. The Company does not have to comply with an obligation under Part 2M.3 of the Act of a kind specified in paragraph 4 in relation to the financial year ended 30 June 2015, but only to the extent that the Part would have imposed, but for this paragraph 5, a continuing obligation on the Company in relation to that financial years. This paragraph applies until the last day of the deferral period.

Conditions

6. The Company:
 - (a) must comply with any obligation to which paragraph 4 and 5 applies by no later than the last day of the deferral period;

- (b) must arrange for a notice explaining the relief granted by this instrument to be published:
 - (i) both:
 - (A) in a prominent place on the Company's website (if any); and
 - (B) in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator; and
 - (ii) if the Company or the Company's holding company is listed on a prescribed financial market—on a website maintained by the operator of the financial market;
 - (c) must have adequate arrangements in place to answer, within a reasonable period of time and without charge, any reasonable questions asked by a member of the Company about the external administration.
7. The Company need not comply with the condition specified in subparagraph 6(a) (other than an obligation under subsection 319(1)) if, by no later than the last day of the deferral period, the Company arranges for a prescribed notice to be published: both:
- (a) in a prominent place on the Company's website; and
 - (b) in a place that is readily accessible on a website maintained by the External Administrator or any external administrator appointed after the External Administrator;
8. This order will cease to apply in relation to a financial year of the Company from the date of any failure to comply with a condition in paragraph 6 (subject to paragraph 7) in relation to the financial year.

Interpretation:

In this instrument:

deferral period means the period starting on the date of this instrument and ending on whichever is the earlier of:

- (a) the day that is 24 months after the date of this instrument; and
- (b) the date that the Company ceases to be under a Deed of Company Arrangement.

external administration means where an external administrator has been appointed to the Company.

external administrator means:

- (a) an administrator of the Company appointed under s436A, 436B or 436C of the Act;
- (b) where the Company has executed a deed of company arrangement that has not yet terminated, the administrator of the deed appointed under Part 5.3A of the Act;
- (c) a provisional liquidator of the Company; or
- (d) a managing controller appointed in relation to property of the Company.

External Administrator means Grant Sparks, Stephen Longley and Martin Ford, joint and several administrators, appointed as Deed Administrators to the Company under subsection 436A of the Act on 15 March 2016.

prescribed notice means a notice that contains statements to the following effect:

- (a) the reports for the relevant financial years of the Company have been lodged with ASIC; and
- (b) the Company will send copies of the reports to a member of the Company free of charge if the member asks for the reports in writing; and
- (c) the reports are available for download on the relevant website together with a hypertext link to the reports.

Dated: 17 May 2016



Signed by Kyle Wright
as a delegate of the Australian Securities and Investments Commission