



14 November 2024

ASX Announcement

Ten Sixty Four Limited (Subject to Deed of Company Arrangement) (“Ten Sixty Four” or the “Company”; ASX:X64)

The Deed Administrator, Mr Martin Ford of PwC Australia, gives notice that he intends to rely on the relief set out in ASIC (*Australian Securities and Investments Commission*) Corporations (*Externally-Administered Bodies*) Instrument 2015/251 (**Instrument**) which provides for the deferral of:

- financial reporting obligations under Part 2M.3 of the *Corporations Act 2001* (Cth) (the **Act**), and
- the requirements under section 250N of the Act to hold an Annual General Meeting (**AGM**).

Deferral of Financial Reporting Obligations

The Deed Administrator gives notice he intends to rely on the relief set out in the Instrument which provides for the deferral of financial reporting obligations for a minimum period of 6 months and up to a maximum period of 24 months from the date of appointment of the Administrators.

In accordance with the Instrument, all financial reporting obligations of the Company under Part 2M.3 of the Act are deferred until the earlier of:

- 1 2 July 2025, 24 months from the date of the appointment of the Administrators; and
- 2 the day the external administration of the Company ends,

(Deferral Period).

Subject to the conditions set out in section 8(3) of the Instrument, during the Deferral Period, the Company does not have to comply with any of the following obligations under Part 2M.3 of the Act in relation to a financial year or half-year of the Company:

- 1 report to members of the Company under section 314 of the Act within the time required by section 315 of the Act;
- 2 send reports to a member in accordance with a request under subsection 316(1) of the Act within the time required by subsection 316(2) of the Act;
- 3 send reports to a member in accordance with a request under subsection 316A(1) of the Act within the time required by subsection 316A(3) of the Act;
- 4 lodge reports with ASIC under subsection 319(1) of the Act within the time required by subsection 319(3) of the Act; and
- 5 lodge half-year reports with ASIC under subsection 320(1) of the Act within the time required by that subsection,

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(the **Financial Reporting Obligations**).

The Company is not required to comply with the Financial Reporting Obligations until the last day of the Deferral Period.

Deferral of AGM

In addition to the financial reporting relief referred to above, the Deed Administrator gives notice that he intends to rely on the relief set out in the Instrument which provides that a company that is not required to comply with financial reporting obligations under Part 2M.3 of the Act in relation to a financial year does not have to comply with the requirement under section 250N of the Act to hold an AGM:

- at least once in each calendar year and within 5 months after the end of the financial year, or
- in relation to an earlier financial year of the Company, but only to the extent that section of the Act would have imposed, but for the operation of the Instrument, a continuing obligation on the company on or after the appointment of the Administrators.

This relief applies until the last day of the Deferral Period. A company relying on this exemption must hold an AGM within 2 months after the end of the Deferral Period and lay before that AGM all outstanding financial reports deferred under section 8 of the Instrument.

Accordingly, the AGM of the Company is deferred until at least 2 months from the date that the financial reporting relief ceases.

Member queries

The Company has arrangements in place to respond, free of charge, to members' queries in relation to the external administration of the Company.

Shareholders should direct any queries to PwC at tensixtyfour@au.pwc.com.

This announcement was authorised to be provided to ASX by the Deed Administrator.