



18 August 2022

Company Announcements Platform  
Australian Securities Exchange  
Level 4  
20 Bridge Street  
SYDNEY NSW 2000

**By Electronic Lodgement**

Dear Sir/Madam

**NOTICE UNDER SECTION 708A(5)(e) OF THE CORPORATIONS ACT**

This notice is given by TMK Energy Limited (**Company**) under section 708A(5)(e) of the *Corporations Act 2001* (Cth) (**Corporations Act**) in relation to the issue of the following fully paid ordinary shares:

1. 70,000,000 fully paid ordinary shares on 31 October 2019;
2. 5,000,000 fully paid ordinary shares on 2 February 2021;
3. 1,895,000,000 fully paid ordinary shares on 14 February 2022;
4. 600,000,000 fully paid ordinary shares on 9 June 2022; and
5. 40,781,250 fully paid ordinary shares on 13 July 2022,

(collectively, the **Shares**).

The Corporations Act restricts the on-sale of securities issued without disclosure under Chapter 6D of the Corporations Act, unless the sale is exempt under section 708 or 708A. By the Company giving this notice, any sale of the new Shares will fall within the exemption contained in section 708A(5)(e) of the Corporations Act.

The Company is aware that it is not in a position to issue valid cleansing notices, as the five-day period following the issue of the Shares has passed. This cleansing notice is issued in accordance with the impending Court application to remedy breaches of the secondary trading provisions of the Corporations Act, as announced on 15 August 2022.

The Company hereby gives notice pursuant to section 708A(5)(e) of the Corporations Act that:

1. the Company issued the Shares without disclosure under Part 6D.2 of the Corporations Act; and
2. as at each of the dates when the Shares were issued, and as at the date of this notice, the Company has complied with:

- (a) the provisions of Chapter 2M of the Corporations Act as they apply to the Company; and
  - (b) section 674 of the Corporations Act; and
- 3. as at each of the dates when the Shares were issued, and at the date of this notice, there is no information to be disclosed which is excluded information of the type referred to in sections 708A(7) or 708A(8) of the Corporations Act that is reasonable for investors and their professional advisers to expect to find in a disclosure document.

This announcement has been authorised for lodgement to ASX by the Board.

**For TMK Energy Limited**



**Dougal Ferguson**  
**Company Secretary**