

## ASX Announcement / Media Release

23 January 2014

### Notice Under Section 708AA of the Corporations Act

This notice is provided by Immuron Limited ACN 063 114 045 ('the Company') under section 708AA(2)(f) of the Corporations Act 2001 (Cth) (Corporations Act).

On 22 January 2014 the Company announced a renounceable pro rata rights issue (Rights Issue or the Offer) to holders of shares in the Company with a registered address in Australia or New Zealand as at 5:00 pm AWST on 3 February 2014 (Eligible Shareholders). The New Shares will be offered to Eligible Shareholders on the basis of eleven (11) New Shares for each six (6) fully paid ordinary shares (Shares) held in the Company as at the Record Date (Entitlement).

Pursuant to the Rights Issue the Company will issue up to approximately 1,931,745,402 fully paid ordinary shares in the capital of the Company (New Shares) at an issue price of \$0.005 (0.5 cents) per New Share. The Offer Document for the Rights Issue is anticipated to be lodged shortly with ASX and will be dispatched to Eligible Shareholders on 7 February 2014.

Eligible Shareholders may, in addition to taking up their entitlements in full, apply for additional shares in excess of their entitlements at the same price as under the Offer in respect of any shortfall in applications under the Rights Issue (Shortfall Offer).

In accordance with section 708AA(2)(f) of the Corporations Act the Company hereby gives notice that:

1. The Company will offer the New Shares without disclosure to investors under part 6D.2 of the Corporations Act as modified by CO 08/35;
2. The Company is giving the notice under section 708AA(2)(f) of the Corporations Act as modified by CO 08/35;
3. 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;
4. as at the date of this notice, there is no information:
  - a. that has been excluded from a continuous disclosure notice in accordance with the ASX Listing Rules; and

- b. that investors and their professional advisors would reasonably require, and would reasonably expect to find in a disclosure document, for the purposes of making an informed assessment of:
  - i. the assets and liabilities, financial position and performance, profit and losses and prospects of the Company; or
  - ii. the rights and liabilities attaching to the New Shares.
- 5. The potential effect the issue of New Shares will have on the control of the Company is as follows:
  - a. if all Eligible Shareholders take up their entitlements under the Rights Issue, then the Offer will have no significant effect or consequence on the control of the Company;
  - b. if an Eligible Shareholder does not take up entitlements under the Rights Issue, then the shareholding interest of that shareholder in the Company will be diluted; and
  - c. the shareholding interest of shareholders with a registered address outside of Australia and New Zealand will be diluted as such shareholders are not entitled to participate in the Offer.
  - d. Interests associated with Mr Peter Anastasiou (which in aggregate are already a substantial IMC shareholder) have agreed to support the Rights Issue by undertaking to participate in the underwriting by Patersons Securities Limited. If there is a substantial shortfall after both the Rights Issue Offer and the Shortfall Offer, the Anastasiou Associates pursuant to their sub-underwriting commitments could move to a position of significant control in respect of IMC shares of between 22.68% and 30.74% in the circumstances of a 100% shortfall, with the percentage of ownership dependent upon the level the Anastasiou Associates take up of their entitlements in the New Shares applied for under the Offers and the amount of New Shares placed pursuant to the underwriting arrangements.

For and on behalf of the Company,

Kind Regards;



Peter Vaughan  
Company Secretary  
Immuron Limited