



## ASX RELEASE

**Issuer: ChemGenex Pharmaceuticals Limited (ASX Code: CXS)**

**Date:** 27 May 2009

### **s708A(5)(e) Disclosure Notice – Issue of rights issue and placement shares**

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The Company relies upon case 1 in section 708A(5) *Corporations Act 2001* (Cth) (**Corporations Act**) in respect of the shares issued to existing investors under a rights issue. The Issuer named above notifies ASX, as required by section 708A(6) *Corporations Act*, as the operator of the prescribed financial market, of details of the issue of securities to persons in response to entitlement offers made by the Company in accordance with section 708(5)(e) *Corporations Act*.

#### **Details of the securities issued**

Class of securities:	Ordinary shares
ASX Code of the securities:	CXS
Date of the issue or expected issue of the securities:	27 May 2009
Total number of securities issued or expected to be issued:	17,122,453 (issued under the rights issue announced 21 April 2009) 2,325,580 (issued under the placement to sophisticated and professional investors announced 27 May 2009)

Signed for and on behalf of the Issuer:

Date: 27 May 2009

Name: Mr James Campbell

Position held: Company Secretary

Signature: Original signed

1. The above securities will or have issued without disclosure to investors under section 708A(6) of Part 6D.2 of the *Corporations Act* and as permitted in compliance with section 708A.
2. This notice is given under section 708A(5)(e) and in accordance with section 708A(6) of the *Corporations Act*.
3. As at the date of this notice, the Issuer has complied with the provisions of Chapter 2M of the *Corporations Act* (as modified by an ASIC declaration dated 1 July 2004) in application to the Issuer and the Issuer has complied with section 674 of the *Corporations Act*.
4. There is no 'excluded information' required to be set out in this notice by virtue of sections 708A(7) and (8) of the *Corporations Act*.

5. The securities referred to above are ordinary shares in a class of securities that were ASX quoted securities, within the meaning of section 708A(5) of the Corporations Act, at all times in the 3 months before the day on which the relevant securities were issued.
6. The securities referred to above have been trading on ASX in circumstances where trading has not been suspended for more than a total of 5 days during the shorter of the period during which the class of securities were quoted and the period of 12 months before the day on which the relevant securities were issued.
7. No exemptions under sections 111AS or 111AT of the Corporations Act cover the Issuer or any person as director or auditor of the Issuer at any time during the shorter of the period during which the class of securities were quoted and the period of 12 months before the day on which the relevant securities were issued.
8. Save as modified by the ASIC declaration of 1 July 2004, no order under sections 340 or 341 of the Corporations Act covers the Issuer or any director or auditor of the Issuer at any time during the shorter of the period during which the class of securities were quoted and the period of 12 months before the day on which the relevant securities were issued.



**Dr James Campbell**

Company Secretary  
ChemGenex Pharmaceuticals Limited