

21 June 2016

Mr Wade Baggott  
ASX Compliance Pty Ltd  
Level 40, Central Park  
152-158 St George's Terrace  
Perth WA 6000

By email: [Wade.Baggott@asx.com.au](mailto:Wade.Baggott@asx.com.au);  
[tradinghaltsperth@asx.com.au](mailto:tradinghaltsperth@asx.com.au)

Dear Wade,

**RE: WANGLE TECHNOLOGIES LIMITED ("ENTITY"): RESPONSE TO ASX AWARE LETTER**

We refer to your letter dated 16 June 2016 and respond to your questions as follows:

1. As set out in the Announcement, the Australia Communications and Media Authority (**ACMA**) and Communications Access Coordinator (**CAC**) required the Entity to make certain changes to the platform to support the interim data retention and interception requirements in accordance with the temporary Interception Capability Exemption granted by the CAC from 1 May 2016.

On 15 June 2016, the final version of the platform, which incorporated the interim data retention and interception requirements, was deployed to production infrastructure ahead of the anticipated launch, but it did not deliver satisfactory results. The Entity's board of directors (**Board**) was informed of the results at approximately 2:30pm (WST) on 15 June 2016.

2. Yes.
3. Not applicable given the response to question 2.
4. The Entity lodged Data Interception and Data Retention plans with the ACMA and CAC during negotiations for the temporary Interception Capability Exemption on 14 April 2016. The exemption was subsequently approved from 1 May 2016. Accordingly, the Entity became aware of the finalisation of the Data Interception and Data Retention plans upon receipt the exemption from ACMA and CAC.

The Entity became aware that it was required to make certain changes to the platform to support the interim data retention and interception requirements upon applying for the temporary Interception Capability Exemption from the CAC in April 2016. However, at the time, the Entity was not aware of the extent of the changes required and therefore the Board did not consider the information to be material. The Board was advised by its development and technical team that the delivery of a working version of the platform which met the interim requirements of the CAC and ACMA by the launch date of 15 June 2016 remained achievable.

The Entity was in a position to launch the Wangle App on 15 June 2016, but the Board made the decision to postpone the launch date on the basis that it was not completely happy with the new results the Entity was receiving from the Wangle App.

The final decision to postpone the launch of the app was made by the Board at approximately 3:00pm (WST) on 15 June 2016.

5. The Entity did not make any announcements relating to the Updated Launch Information, or any other information contained in the Announcement, before 16 June 2016, as the decision to postpone launch of the Wangle App was not made until approximately 3:00 pm on 15 June 2016.

Until such time as the decision to postpone was made, the Entity intended to proceed with the launch of the Wangle App on 15 June 2016.

6. Wangle Technologies Limited is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

## BY ORDER OF THE BOARD

For further information contact:

Loren Jones  
**Company Secretary**

Wangle Technologies Limited  
Tel: (+61 8) 6489 1600  
[info@wan.gl](mailto:info@wan.gl)



16 June 2016

Ms Loren Jones  
Company Secretary  
Wangle Technologies Limited  
Suite 9, 330 Churchill Avenue  
Subiaco WA 6008

By email: [loren@cicerocorporate.com.au](mailto:loren@cicerocorporate.com.au)

Dear Loren

**Wangle Technologies Limited (the “Entity”): ASX aware query**

ASX Limited (“ASX”) refers to the following:

1. The Entity’s announcement entitled “Wangle Ready for Launch After Satisfying Government Requirements” lodged on the ASX Market Announcements Platform and released at 7:19am (WST) on 3 May 2016 (“Launch Announcement”), disclosing in part the following:
  - *All testing has been carried out across both Android and iOS ahead of the Apps launch on or before June 15th.*and
  - *Wangle is now clear to launch the Apple iOS and Android versions of its App in Australia and New Zealand.*and
  - *The data interception capability plan is well underway with lodgement to the CAC this month.*(together, the “Launch Information”)
2. The Entity’s response to a price and volume query from ASX on 30 May 2016 regarding an increase in the price and volume of the Entity’s securities, lodged on the ASX Market Announcements Platform and released at 12:07pm (WST) on 30 May 2016 (“Price Query Response”), disclosing in part the following:
  - *While the Company is not aware of any other specific explanation for the recent trading in its securities, it would like to draw your attention to the announcement made on 3 May 2016 regarding the Entity having been granted a temporary Interception Capability Exemption from the Communications Access Coordinator paving the way for the Company to proceed with the public launch of the Wangle App. The commercial launch of the Entity’s App is scheduled to take place on or before the 15<sup>th</sup> June 2016 in Australia and New Zealand.*

*For further information, please refer to the announcement dated 3 May 2016.*

3. The Entity's announcement entitled "Market Update" lodged on the ASX Market Announcements Platform and released at 8:24am (WST) on 16 June 2016 (the "Announcement"), disclosing in part the following:

- *Finalisation of Data Interception and Data Retention plans mark significant milestone for the Company and its pathway to full compliance with ACMA and CAC*
- *Substantial changes to platform required to support the interim data retention and interception requirements will impact the timing of the App Launch*
- *Updated launch plan to follow, incorporating additional features and extended marketing strategy designed to position Wangle as a leading, fully compliant network optimisation, e-safety and privacy platform ensuring a more robust feature rich product.*

and

*Wangle Technologies Limited (ASX: WGL) ('Wangle' or the 'Company') advises that compliance with the Data Interception and Data Retention obligations as a Carriage Service Provider (CSP) requires additional functionality than what was previously contemplated. As a result, the release of its consumer iOS and Android App will be put on hold until these matters are addressed.*

(together, the "Updated Launch Information")

4. The change in the price of the Entity's securities from a closing price of \$0.049 on Thursday, 9 June 2016, to closing price of \$0.038, on Wednesday 15 June 2016 and an increase in the volume of trading in Company's securities over this period.
5. Listing Rule 3.1, which requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities.
6. The definition of "aware" in Chapter 19 of the Listing Rules. This definition states that:

*"an entity becomes aware of information if, and as soon as, an officer of the entity (or, in the case of a trust, an officer of the responsible entity) has, or ought reasonably to have, come into possession of the information in the course of the performance of their duties as an officer of that entity."*

Additionally, you should refer to section 4.4 in Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B "When does an entity become aware of information"*.

7. Listing Rule 3.1A, which sets out exceptions from the requirement to make immediate disclosure, provided that each of the following are satisfied.

*"3.1A Listing rule 3.1 does not apply to particular information while each of the following is satisfied in relation to the information:*

*3.1A.1 One or more of the following applies:*

- *It would be a breach of a law to disclose the information;*
- *The information concerns an incomplete proposal or negotiation;*

- *The information comprises matters of supposition or is insufficiently definite to warrant disclosure;*
  - *The information is generated for the internal management purposes of the entity; or*
  - *The information is a trade secret; and*
- 3.1A.2 *The information is confidential and ASX has not formed the view that the information has ceased to be confidential; and*
- 3.1A.3 *A reasonable person would not expect the information to be disclosed.”*
5. ASX’s policy position on the concept of “confidentiality”, which is detailed in section 5.8 of Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. In particular, the Guidance Note states that:

*“Whether information has the quality of being confidential is a question of fact, not one of the intention or desire of the listed entity. Accordingly, even though an entity may consider information to be confidential and its disclosure to be a breach of confidence, if it is in fact disclosed by those who know it, then it ceases to be confidential information for the purposes of this rule.”*

Having regard to the above, we ask that you answer the following questions in a format suitable for release to the market in accordance with Listing Rule 18.7A:

1. When did the Entity first become aware that it would not meet the 15 June 2016 launch timeframe for the Entity’s iOS and Android Apps referred to in the Launch Announcement and Price Query Response?
2. Does the Entity consider the Updated Launch Information, or any other information contained within the Announcement, to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
3. If the answer to question 2 is “no”, please advise the basis for that view.
4. If the answer to question 2 is “yes” when did the Entity first become aware of the Updated Launch Information, and any other part of the information contained within the Announcement?
5. If the answer to question 2 is “yes” and the Entity first became aware of the Updated Launch Information or any other information contained in the Announcement before 16 June 2016, did the Entity make any announcement prior to the relevant date which disclosed the information? If so, please provide details. If not, please explain why this information was not released to the market at an earlier time, commenting specifically on when you believe the entity was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps the Entity took to ensure that the information was released promptly and without delay.
6. Please confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

#### **When and where to send your response**

This request is made under, and in accordance with, Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by **7:30am WST on Tuesday 21 June 2016**. If we do not have your response by then, ASX will have no choice but to consider suspending trading in the Entity’s securities under Listing Rule 17.3.

You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, the Entity's obligation is to disclose the information "immediately". This may require the information to be disclosed before the deadline set out in the previous paragraph.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market.

Your response should be sent to me by e-mail at [wade.baggott@asx.com.au](mailto:wade.baggott@asx.com.au). It should not be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

### **Listing Rule 3.1**

Listing Rule 3.1 requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities. Exceptions to this requirement are set out in Listing Rule 3.1A.

The obligation of the Entity to disclose information under Listing Rules 3.1 and 3.1A is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

In responding to this letter, you should have regard to the Entity's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*.

### **Trading halt**

If you are unable to respond to this letter by the time specified above, you should discuss with us whether it is appropriate to request a trading halt in the Entity's securities under Listing Rule 17.1.

If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.

We may require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted.

You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.



If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely

*[Sent electronically without signature]*

Wade Baggott  
Principal Adviser, Listing Compliance (Perth)  
P: 08 9224 0000  
E: [wade.baggott@asx.com.au](mailto:wade.baggott@asx.com.au)