

30 May 2023

The Manager  
ASX Limited  
20 Bridge Street  
Sydney NSW 2000

Att Yulia Gurdina

Dear Madam,

We refer to your price query letter of 30 May 2023 issued at 1.07 pm today and respond to your questions as follows:

1. No.
2. Not applicable.
3. As is required under ASX Listing Rules, AKP released the transcript of the Chairman and CEO's AGM address to the ASX's Companies Announcement Platform. This was done at 11:44am shortly prior to the commencement of our Annual General Meeting which was held at 1.30 pm. Both presentations made reference to management's intention to demonstrate our technology during the AGM.
4. Yes. The Company confirms it is in compliance with the listing Rules and, in particular Listing Rule 3.1.
5. AKP confirms that this response has been authorised and approved by the Board.

Yours faithfully,



Ian Dennis  
Director



30 May 2023

Reference: ODIN75017

Mr Ian Dennis  
Company Secretary  
Audio Pixels Holdings Limited  
Suite 3, Level 12 75 Elizabeth Street  
SYDNEY NSW 2000

By email

Dear Mr Dennis

**Audio Pixels Holdings Limited ('AKP'): Price - Query**

ASX refers to the following:

- A. The change in the price of AKP's securities from \$9.10 at the close of trading on 29 May 2023 to a high of \$11.15 today.
- B. The significant increase in the volume of AKP's securities traded today.

**Request for information**

In light of this, ASX asks AKP to respond separately to each of the following questions and requests for information:

1. Is AKP aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
2. If the answer to question 1 is "yes".
  - (a) Is AKP relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in AKP's securities would suggest to ASX that such information may have ceased to be confidential and therefore AKP may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
  - (b) Can an announcement be made immediately? Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
  - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
3. If the answer to question 1 is "no", is there any other explanation that AKP may have for the recent trading in its securities?
4. Please confirm that AKP is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that AKP's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of AKP with delegated authority from the board to respond to ASX on disclosure matters.

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

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **3:30 PM AEST on Tuesday, 30 May 2023**. 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, AKP'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 and may require AKP to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsComplianceSydney@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.

### **Trading halt**

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in AKP'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 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*.

### **Suspension**

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in AKP's securities under Listing Rule 17.3.

### **Listing Rules 3.1 and 3.1A**

In responding to this letter, you should have regard to AKP's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. It should be noted that AKP's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

### **Release of correspondence between ASX and entity**

ASX reserves the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

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## Questions

If you have any questions in relation to the above, please do not hesitate to contact me.

Regards

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**Yulia Gurdina**

Senior Adviser, Listings Compliance