

ASX Announcement

21 June 2021

Balance of Federal Court Orders Granted

Wingara AG Limited (**ASX: WNR**) (**Company** or **Wingara**) refers to its announcement of 17 June 2021 and confirms that the second hearing of its matter in the Federal Court of Australia (Victorian Registry) was held on Friday 18 June 2021 at 4:00 p.m. (AEST).

The Company is pleased to advise that the Court has granted the balance of the orders sought by the Company in its application, namely in relation to the cleansing notice issued by the Company on 6 September 2016 (**September 2016 CN**) (see below for details).

As a result, Wingara's shares will be reinstated to official quotation today, 21 June 2021.

Wingara's management notes that it is taking active steps to improve its compliance processes since the appointment of a new board (including a new Chairman), and new company secretary.

This announcement has been approved for release by the Board of Directors of Wingara AG Limited.

For further information please contact:

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Company Secretary
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About Wingara AG Limited:

Wingara AG Limited aims to be the leader in the sale of agricultural products to the domestic and international markets, particularly focusing on the export of hay products to Asia. By adhering to the highest standards of production we ensure a reliable source of hay to our clients, enabling them to meet their business demands confident on the quality of our product.

We are also dedicated to supporting local producers and our commitment to providing an equitable relationship with Australian farmers allows us to source the best product available. Wingara is committed to ensuring we uphold the highest standards of integrity throughout the organisation, ensuring that we create an environment in which individuals continue to strive to meet our goals.

For further information, please visit: <http://wingaraag.com.au/>

Balance of Federal Court Orders Granted

The Company refers to its announcement of 17 June 2021 and advises that on Friday, 18 June 2021, the balance of its application (in relation to the September 2016 CN) to the Federal Court of Australia was heard.

Granting of orders curing issue of September 2016 CN

The Court made the orders in substance sought by the Company and in finalisation of the proceeding, ordered (inter alia):

- (a) any offer for sale or sale of the shares relating to the September 2016 CN, during the period from their respective dates of issue to the date of these orders (inclusive), is not invalid by reason of:
 - (i) the failure of a notice dated 6 September 2016 purportedly issued under s 708A(5)(e) of the *Corporations Act 2001* (Cth) (**Corporations Act**), to exempt the Company and sellers from the obligation of disclosure under the Corporations Act; and
 - (ii) any consequential failure by the Company and seller to comply with ss 707(3) and 727(1) of the Corporations Act;
- (b) the Company and its current and former directors and officers are relieved of any civil liability arising out of any contravention of ss 707(3) and 727(1) of the Corporations Act in relation to the offer for sale or the sale of the shares related to the September 2016 CN;
- (c) any sellers of the shares related to the September 2016 CN are relieved of any civil liability arising out of any contravention of ss 707(3) and 727(1) of the Corporations Act in relation to the offer for sale or the sale of those shares; and
- (d) for a period of 28 days from the date of these orders, any person who claims to have suffered substantial injustice or is likely to suffer substantial injustice by the making of any or all of these orders has liberty to apply to vary or to discharge them within that period.

A copy of the orders accompanies this announcement.



Federal Court of Australia
District Registry: Victoria
Division: General

No: VID317/2021

WINGARA AG LTD
Plaintiff

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 18 June 2021

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Any offer for sale or sale of the shares referred to in **Annexure B**, during the period from their respective dates of issue to the date of these orders (inclusive), is not invalid by reason of:
 - a. the failure of a notice dated 6 September 2016 purportedly issued under s 708A(5)(e) of the *Corporations Act 2001* (Cth), to exempt the plaintiff and sellers from the obligation of disclosure under the *Corporations Act*; and
 - b. any consequential failure by the plaintiff and sellers to comply with ss 707(3) and 727(1) of the *Corporations Act*.
2. The plaintiff and its current and former directors and officers are relieved of any civil liability arising out of any contravention of ss 707(3) and 727(1) of the *Corporations Act* in relation to the offer for sale or the sale of the shares referred to in **Annexure B**.
3. Any sellers of the shares referred to in **Annexure B** are relieved from any civil liability arising out of any contravention of ss 707(3) and 727(1) of the *Corporations Act* in relation to the offer for sale or the sale of such shares.
4. As soon as it is reasonably practicable, a sealed copy of these orders is to be served on the Australian Securities and Investments Commission (**ASIC**) and upon service of these orders, ASIC is to include these orders on its database.
5. As soon as it is reasonably practicable, a sealed copy of these orders is to be sent to the last known email address of each person to whom the shares referred to in **Annexure B** were issued.
6. As soon as it is reasonably practicable, the plaintiff is to publish an announcement to the Australian Securities Exchange (**ASX**) in which a copy of these orders is included.



7. For a period of 28 days from the date of these orders, any person who claims to have suffered substantial injustice or is likely to suffer substantial injustice by the making of any or all of these orders has liberty to apply to vary or to discharge them within that period.
8. There be no orders as to costs.

Date that entry is stamped: 18 June 2021

Sia Lagos
Registrar



ANNEXURE B

No.	Date of Issue	Security Type	Date of cleansing notice	Number issued	Basis for issue
1.	22 August 2016	FPOS	6 September 2016	9,996,662	Placement