



# ASX LISTING RULES

## Guidance Note 20

### ASX ONLINE

<b>The purpose of this Guidance Note</b>	<ul style="list-style-type: none"> <li>To assist listed entities to understand the ASX Online facility and to comply with their obligation under Listing Rule 15.3 to give documents to ASX electronically using that facility.</li> </ul>
<b>The main points it covers</b>	<ul style="list-style-type: none"> <li>What is ASX Online?</li> <li>User requirements for ASX Online</li> <li>Security requirements for ASX Online</li> <li>File requirements for ASX Online</li> <li>Guidelines for <a href="#">announcement</a> headers</li> <li>Provision of contact details</li> <li>Confirmation of transmission</li> <li>ASX's back-up fax lodgement facilities</li> <li>Where to notify technical difficulties</li> <li>Where to go for help</li> </ul>
<b>Related materials you should read</b>	<ul style="list-style-type: none"> <li>Annexure A: <a href="#">Application and agreement for use of electronic lodgement facility and entity details facility</a> (ASX Online Agreement)</li> <li>Guidance Note 8 <i>Continuous Disclosure: Listing Rules 3.1 – 3.1B</i></li> <li>Guidance Note 14 <i>ASX Market Announcements Platform</i></li> </ul>

Deleted: title

**History:** Guidance Note 20 amended [01/12/19](#). Previous versions of this Guidance Note were issued in 09/01, 03/02, 01/03, 03/03, 05/08, 06/12, [09/14](#) and [03/16](#).

Deleted: 4

Deleted: 03

Deleted: 6

Deleted: and

**Important notice:** ASX has published this Guidance Note to assist listed entities to understand and comply with their obligations under the Listing Rules. Nothing in this Guidance Note necessarily binds ASX in the application of the Listing Rules in a particular case. In issuing this Guidance Note, ASX is not providing legal advice and listed entities should obtain their own advice from a qualified professional person in respect of their obligations. ASX may withdraw or replace this Guidance Note at any time without further notice to any person.

Deleted: 4

Deleted: March

Deleted: 6



# ASX LISTING RULES

## Guidance Note 20

### Table of Contents

1. Introduction	2
2. The process for a listed entity to give a document to ASX electronically	3
3. What is ASX Online?	3
4. ASIC relief	4
5. User requirements	4
6. Security requirements	5
7. User contact details	5
8. File requirements	6
9. Guidelines for announcement headers	6
10. Confirmation of transmission	7
11. Back-up facilities	8
12. Technical difficulties	8
13. For help	8
Annexure A: Application and agreement for use of electronic lodgement facility and entity details facility	9

## 1. Introduction

This Guidance Note is published by ASX Limited ("ASX") to assist listed entities to understand the ASX Online facility and to comply with their obligation under Listing Rule 15.3 to give documents to ASX electronically using that facility.<sup>1</sup>

A listed entity is required as a condition of admission to the official list to agree with ASX in writing that documents may be given to ASX and authenticated electronically, and to establish the facilities required for it to do this.<sup>2</sup> The form ASX currently requires to evidence that agreement is the form *Application and agreement for use of electronic lodgement facility and entity details facility* ("ASX Online Agreement") set out in Annexure A.

Unless ASX agrees otherwise, a document for release to the market that is given to ASX by or on behalf of a listed entity must be given electronically.<sup>3</sup>

For these purposes, a document is taken to be given to ASX electronically if each of the following requirements is met:<sup>4</sup>

- ASX and the person giving the document to ASX have agreed, in writing,<sup>5</sup> that documents of that kind may be given to ASX and authenticated electronically;
- ASX receives the document electronically; and
- the entity meets the requirements set and published by ASX for giving a document to ASX electronically.<sup>6</sup>

<sup>1</sup> See also Guidance Note 14 *ASX Market Announcements Platform*.

<sup>2</sup> Listing Rule 1.1 Condition 14 (ASX Listings), Listing Rule 1.8 Condition 10 (ASX Debt Listings) and Listing Rule 1.11 Condition 10 (ASX Foreign Exempt Listings). These rules came into effect on 1 January 2003. Entities admitted to the official list prior to that date were required to sign an equivalent agreement by 1 July 2003 under Listing Rule 15.4A.

<sup>3</sup> Listing Rule 15.3(a). This rule applies regardless of whether the document is given to ASX under the Listing Rules or under some other requirement (eg under the Corporations Act).

<sup>4</sup> Listing Rule 15.3.1.

<sup>5</sup> The ASX Online Agreement signed by a listed entity establishes the agreement in writing required for these purposes.

<sup>6</sup> The requirements for giving a document to ASX electronically are published on the ASX Online website <https://www.asxonline.com>. The ASX Online Agreement also annexes the requirements in force at the time the agreement is entered into.

Deleted: of

Deleted: A

Deleted: unless it falls within an excluded category published by ASX from time to time

Deleted: The only documents currently in an excluded category are proxy voting notifications under section 251AA of the Corporations Act.

Deleted: 9

Deleted: 2

Deleted: 22

Deleted: September

Deleted: 4



# ASX LISTING RULES

## Guidance Note 20

Under the ASX Online Agreement, if ASX receives an electronic document<sup>7</sup> and the electronic document has been authenticated in accordance with ASX’s published authentication procedures,<sup>8</sup> the electronic document is taken to be as valid, effective and enforceable as if it had been written on paper, signed and authorised by the listed entity.

### 2. The process for a listed entity to give a document to ASX electronically

There are essentially two ways in which a listed entity may give a document to ASX electronically:

- for notifications of certain corporate actions – ~~including~~ dividends or other distributions,<sup>9</sup> interest payments,<sup>10</sup> consolidations,<sup>11</sup> splits,<sup>12</sup> cash returns of capital,<sup>13</sup> ~~proposed issues of securities,<sup>14</sup> applying for quotation of securities on ASX<sup>15</sup> and notifying ASX of CDIs on issue<sup>16</sup>~~ – by completing an online form provided within ASX Online, which when completed will automatically generate a PDF announcement in a standard format for release to the market via ASX’s Market Announcements Platform (MAP);<sup>17</sup> or
- in all other cases, by uploading the document as a PDF document using the electronic lodgement facility within ASX Online, with that document then being released to the market via MAP.<sup>18</sup>

**Deleted:** prescribed

**Deleted:** namely

**Deleted:** ,

**Deleted:** changes in interest rates,

**Deleted:** or

The online forms for prescribed corporate actions contain validation rules designed to ensure that all the key information the market requires in relation to the corporate action is included and that the corporate action complies with the applicable timetable set out in the Listing Rules. They also trigger system-generated warnings if the corporate action might create issues with a concurrent corporate action.<sup>19</sup>

Unless ASX agrees otherwise, where ASX has made available an online form for a corporate action, a document for release to the market in relation to that corporate action must be generated by completing the relevant online form and lodging it through ASX Online.<sup>20</sup>

### 3. What is ASX Online?

ASX Online is a secure extranet site provided by ASX to facilitate the electronic lodgement of announcements with ASX and their quick and efficient dissemination to the market via MAP.<sup>21</sup>

The online forms for prescribed corporate actions are accessed via the “Create Online Forms” page in ASX Online. This page allows an authorised user to start preparing a draft notification of a corporate action and to save it for further editing. Once saved, the form can be accessed via the “Manage Online Forms” page in ASX Online, where authorised users can edit the saved form, submit it for lodgement to ASX when completed, track the progress of

<sup>7</sup> The ASX Online Agreement defines the expression “electronic document” to include a document in the form of a digital representation of information generated, sent, received or stored by electronic, optical or similar means, but excluding facsimile.

<sup>8</sup> The ASX Online Agreement defines the expression “authentication procedures” to be the procedures set out in the ASX policy requirements for ensuring secure use of the electronic lodgement facility and the entity details facility which enables a listed entity to enter details regarding the listed entity at <https://www.asxonline.com> or such other address as notified by ASX.

<sup>9</sup> [Listing Rule 3.21\(c\) and Appendix 3A.1.](#)

<sup>10</sup> [Listing Rule 3.22\(c\) and Appendix 3A.2.](#)

<sup>11</sup> [See Listing Rule 3.10.1 \(first bullet point\) and Appendix 3A.3.](#)

<sup>12</sup> [See Listing Rule 3.10.1 \(first bullet point\) and Appendix 3A.3.](#)

<sup>13</sup> [See Listing Rule 3.10.1 \(second bullet point\) and Appendix 3A.4.](#)

<sup>14</sup> [Listing Rule 3.10.3 and Appendix 3B.](#)

<sup>15</sup> [See Listing Rule 2.7 and Appendix 2A.](#)

<sup>16</sup> [See Listing Rule 4.11 and Appendix 4A.](#)

<sup>17</sup> Listing Rules [15.3\(a\) and \(b\)\(i\)](#) and Appendices [2A](#), [3A.1](#), [3A.2](#), [3A.3](#), [3A.4](#), [3B](#) and [4A](#).

<sup>18</sup> Listing Rules [15.3\(a\) and \(b\)\(ii\)](#).

<sup>19</sup> For example, under Listing Rule 7.13 or 7.14.

<sup>20</sup> Listing Rule [15.3\(c\)](#).

<sup>21</sup> Listed entities access the area of ASX Online called “ASX Online – [Issuers](#)”. ASX Online also has areas called “ASX Online – Participants” and “ASX Online – Professional Adviser”. References to ASX Online below are to the ASX Online – [Issuers](#) area.

**Deleted:** and

**Deleted:** b

**Deleted:** . Unless ASX agrees otherwise, where an entity has lodged an online form in respect of a matter, any change to the information in the online form must be made by lodging an online form which is an update to or cancellation of the original online form (Listing Rule 15.3(c))

**Deleted:** Companies

**Deleted:** Companies

**Deleted:** 22

**Deleted:** September

**Deleted:** 4



# ASX LISTING RULES

## Guidance Note 20

lodged forms as they are processed by the ASX Markets Announcements office, and also access previously lodged forms for a corporate action to notify the market about an update to, or cancellation of, that corporate action.

The electronic lodgement facility for lodging PDF announcements is accessed by the "E-lodge PDF Announcement" page in ASX Online. Once a PDF announcement has been lodged using that facility, authorised users can track the progress of the announcement as it is processed by the ASX Markets Announcements office via the "Status of Announcements" page in ASX Online.

ASX Online includes an "Company Details" screen, which enables a listed entity to notify ASX of changes in its details (such as its registered address, address for correspondence with ASX, internet address, head office telephone, head office fax, principal activities, directors, senior management and registry details) via web forms. Changes to these details are updated directly to ASX's database and, where relevant, are uploaded overnight to the listed entity information pages on [www.asx.com.au](http://www.asx.com.au).

ASX Online has a "User Details" screen that allows nominated administrators to add new users, change the contact details of or delete existing users, set the access level of users, and set or re-set user passwords. It also allows users to set up email distribution lists for nominated recipients to receive email notifications from ASX acknowledging the release of an announcement to the market or that the entity has been "tagged" in an announcement by another entity and/or email reminders about the due date for lodgement of periodic reports.

Listed entities may use the "External Notifications" page of ASX Online to enter up to 30 email addresses external to the listed entity that will also receive notifications from ASX acknowledging the release of an announcement to the market or that the entity has been "tagged" in an announcement by another entity.

In addition, ASX Online allows users to access electronic copies of the Listing Rules, Listed@ASX Compliance Updates, the ASX reporting calendar and other useful information.

### 4. ASIC relief

ASIC has granted class order relief to facilitate the operation of ASX Online.

Under [ASIC Corporations \(Electronic Lodgment of Financial Reports\) Instrument 2016/181](#), the Corporations Act has been modified to allow ASX listed entities and their wholly owned subsidiaries to lodge with ASX (as agent for ASIC) electronic versions of the financial reports and directors' reports they would otherwise be required to lodge with ASIC in paper form under [Division 1 or 2 of Part 2M.3 of the Act](#). This includes a concise report provided to members under section 314 of the Act and an amended report within the meaning of section 322 of the Act.<sup>22</sup>

Under [ASIC Corporations \(Disclosure of Directors' Interests\) Instrument 2016/881](#), ASIC has granted relief to the directors of public companies listed on ASX from complying with the obligation to notify ASX of certain notifiable interests on condition that all of the information which would have been required to be disclosed by a director under that section is provided to ASX by the relevant company electronically in a notice that complies with ASX Listing Rule 3.19A.

### 5. User requirements

To use ASX Online, a listed entity will need to have a computer with internet access, internet browser software compatible with ASX Online and software (such as Adobe Acrobat) to convert documents to PDF. ASX does not provide these facilities.

[The help page on ASX Online for Issuers has further information about minimum browser requirements.](#)

It is the responsibility of the listed entity to ensure that it has suitable hardware and software and a reliable internet service provider so that it is able to use ASX Online.

Deleted: .

Deleted: also

Deleted: users to be added to an

Deleted: to

Deleted: a separate email list to receive

Deleted: Entities

Deleted: Class Order

Deleted: Under Class Order CO 00/2449 ASX Electronic Lodgment Facility – relief from paper form lodgement, the Corporations Act has been modified to allow ASX listed entities and their wholly owned subsidiaries to lodge most of the documents the Act requires them to lodge with ASX electronically rather than in paper form.<sup>¶</sup>

Deleted: Class Order CO 00/2451 Electronic lodgment of certain reports with the ASX – approval

Deleted: sections 319(1), 320 and 322(1)

Deleted: Class Order CO 01/1519 Disclosure of directors' interests

Deleted: 22

Deleted: September

Deleted: 4

<sup>22</sup> See also ASIC Regulatory Guide 28 Relief from Dual Lodgement of Financial Reports.



# ASX LISTING RULES

## Guidance Note 20

### 6. Security requirements

ASX Online requires users to have a username and password to enter the system.

Each individual granted access to ASX Online by an administrator must have a separate unique username and password. Passwords must:

- be from eight to 12 characters in length;
- contain at least one upper case letter;
- contain at least one lower case letter;
- contain at least one number character; and
- contain at least one non-alphanumeric character (e.g. !#\$%^&\*+=",.:).

Passwords expire every 45 days and must be re-set. A user can re-set their own password without needing to involve their administrator. When they do, they will be sent an email by ASX to their nominated email address confirming their new password.

A new user is also required to re-set their password at first log-in.

ASX Online is case sensitive, and so users need to make sure that capital and lower case letters are correctly used when entering their username and password.

ASX Online allows for user-types with the following privileges:

- Administrator – can create new users, change the contact details of or delete existing users, re-set user names and set and reset passwords for other ASX Online users within the listed entity;
- eldgement user – can create, edit and lodge online forms and lodge PDF documents via the electronic lodgement facility;
- Update company details user – can update the pages in the “Entity Details” menu.
- Read only user – can access ASX Online for read only purposes (these users cannot access the New Online Forms, Manage Online Forms or E-lodge PDF Announcement pages in ASX Online).

Deleted: EI

Listed entities should note that eldgement users may lodge announcements to the market on behalf of the listed entity and accordingly take care in assigning that user-type within the listed entity.

Deleted: EI

A user who forgets their username and/or password can have it re-set by their administrator.

### 7. User contact details

Where a user electronically lodges a document using ASX Online (whether via an online form or as a PDF announcement), their name, telephone number and email address are automatically captured as part of the lodgement, based on their username and password and their personal details recorded in the ASX Online user details screen. If ASX has a query or concern about an electronic lodgement, it will contact the user who lodged it using that telephone number or email address.

ASX asks that administrators are diligent in keeping these fields up-to-date at all times, particularly the telephone number, so that if ASX does have an issue with an announcement, it can contact the relevant user promptly. In this regard, it is generally better for users to supply mobile rather than office phone numbers, to facilitate contact outside of office hours.

Deleted: 22

Deleted: September

Deleted: 4



# ASX LISTING RULES

## Guidance Note 20

### 8. File requirements

Where an online form is used to notify ASX of a prescribed corporate action, there are no applicable file requirements – the listed entity simply needs to complete the online form and submit it through ASX Online.

**Deleted:** nly

All other documents lodged using the electronic lodgement facility must be in PDF<sup>23</sup> format. Any security settings on the PDF document must be removed prior to lodgement. If they are not, an error message will be displayed on-screen to the user requesting the security settings to be removed. The following requirements must also be satisfied:

- All pages in the PDF file must be A4 in size and in 200 DPI or 300 DPI (dots per inch) for clarity.
- The maximum file size for an electronic lodgement is 20 MB. If a document being lodged is larger than 20 MB, it must be split into separate files, each of which is less than 20 MB.
- To keep file sizes as small as possible, users should convert non-PDF documents to PDF documents using appropriate conversion software, rather than scanning them as PDF images. Photographs, graphs and other images should not be in resolutions greater than 300 DPI.

### 9. Guidelines for announcement headers

**Deleted:** title

ASX Online automatically assigns a title or header for an announcement about a prescribed corporate action made via an online form, as follows:

Listing Rule Appendix	Header for market announcement generated by online form
<a href="#">Appendix 2A</a>	<a href="#">(1) – Application for quotation of securities – (3)</a>
Appendix 3A.1	(1) <del>– Dividend</del> /Distribution – (2)
Appendix 3A.2	(1) <del>– Interest</del> Payment – (2)
Appendix 3A.3	(1) <del>– Consolidation/Split</del> – (3)
<del>Appendix 3A.4</del>	(1) <del>– Return</del> of Capital – (2)
<a href="#">Appendix 3B</a>	<a href="#">(1) – Proposed issue of securities – (3)</a>
<a href="#">Appendix 3G</a>	<a href="#">(1) – Issue, Conversion or Payment up of Equity Securities – (3)</a>
<a href="#">Appendix 4A</a>	<a href="#">(1) – Statement of CDIs on issue – (3)</a>

**Deleted:** -

**Deleted:** Appx 3A.1 Notification of

**Deleted:**

**Deleted:** -

**Deleted:** Appx 3A.2 Notification of

**Deleted:** -

**Deleted:** Appx 3A.3 Notification of

**Commented [KL1]:** Question for STP project team: do/will other STP forms auto-generate a header?

**Deleted:** -

**Deleted:** Appx 3A.4 Notification

**Deleted:** Return

where:

- (1) = Update or Cancel, if applicable. If the form is a New one. (1) is left blank.
- (2) = the ASX security code to which the form relates (as provided in Part 1 of the online form).
- (3) = the ASX issuer code (this is used in preference to the ASX security code as there may be multiple securities to which the announcement relates).

**Deleted:** New,

**Deleted:** whichever applies

**Deleted:** used in respect of security consolidations/splits

For example, an announcement updating an interest payment notification for the listed entity XYZ Limited (ASX issuer code XYZ) in respect of its floating rate unsecured bonds maturing 31 December 2020 (security code

**Deleted:** I

**Deleted:** C

**Deleted:** dial-up

**Deleted:** 22

**Deleted:** September

**Deleted:** 4

<sup>23</sup> Portable Document Format. PDF files generally have a smaller file size compared to other formats. This facilitates faster download of announcements and reduces the risk of time-out on slower ISP services.



# ASX LISTING RULES

## Guidance Note 20

XYZHA) would read: "Update – Interest Payment – XYZHA". The header for the first announcement of a consolidation or split for that entity would read: "New – Consolidation/Split – XYZ".

Deleted: Appx 3A.2 Notification of

Deleted: Appx 3A.3 Notification of

For all other announcements, the user must supply a title or header for an announcement. The "E-lodge PDF Announcement" page of ASX Online includes an ["announcement header"](#) field where a title for an announcement can be inserted.<sup>24</sup> ASX will generally use the [announcement header](#) supplied in that field as the name for the announcement on the ASX website and in the message about the announcement that gets published on its trading platform and displayed on broker trading terminals.

Deleted: title

Deleted: title

ASX asks that persons lodging announcements for release to the market use [announcement headers](#) for those announcements that briefly and accurately convey the contents of the announcement (eg "1:4 rights issue of ordinary shares at \$1" or "Full year profits up by 20%").

Deleted: title

ASX has in the past experienced [issues](#) with announcements that have been given fairly innocuous titles (such as "Chairman's Address to AGM") but have had market sensitive material embedded in them. ASX would therefore ask listed entities to ensure that the [header](#) to such an announcement clearly identifies the fact that it contains market sensitive information (eg "Chairman's Address to AGM and Buyback Announcement") or, better still, that market sensitive announcements are made on a stand-alone basis and not incorporated in other announcements that may not be market sensitive.

Deleted: difficulties

Deleted: title

### 10. Confirmation of transmission

Where a user successfully lodges a document using ASX Online (whether via an online form or as a PDF announcement), an on-screen message will appear confirming that the transmission has been successful<sup>25</sup> and the Status of Announcements page (and, if the lodgement was via an online form, the Manage Online Forms page<sup>26</sup>) on ASX Online will be updated with a document id and to show that the announcement has been "Delivered".

As the announcement is processed by the ASX Market Announcements office, its status will be updated to "Accepted", "In Progress" and then finally "Released".

Once an announcement has been released by the ASX Market Announcements office to the market, ASX will send an email to the entity confirming that fact.<sup>27</sup> The email will attach a copy of the released announcement, provided it has a file size of no more than 5 MB.

If the announcement is tagged by the ASX Market Announcements office as relating to or affecting another listed entity (for example, where the lodging entity is announcing a takeover offer for the other entity or lodging a substantial holding notice relating to the other entity), ASX will also send the other entity an email advising of the release of the announcement. Again, the email will attach a copy of the released announcement, provided it has a file size of no more than 5 MB.

Where the lodgement of an online form or PDF document on ASX Online fails, an on-screen message will appear in red showing any identifiable cause for the failure, such as "Incorrect password" or "Document must be in PDF format". If the cause for the failure is not identifiable, the message will simply advise that the transmission has failed and request the user to immediately contact the ASX Market Announcements office.

<sup>24</sup> The [announcement header](#) field in ASX Online is limited to 60 characters.

Deleted: title

<sup>25</sup> It should be noted that this message is **not** an acknowledgement that the announcement has been released to the market for the purposes of Listing Rule 15.7 (which requires an entity not to release information that is for release to the market to any person until it has given the information to ASX and has received an acknowledgement that ASX has released the information to the market). Nor are the status messages "Delivered", "Accepted" or "In Progress" that will appear on the lodging entity's status pages on ASX Online as the announcement is processed.

<sup>26</sup> In the case of an online form, the status note on the Manage Online Forms page will also indicate "new", "update" or "cancel" in brackets after the status. This identifies whether the announcement is a notification of a new corporate action using a form lodged for the first time, an update to a corporate action already announced by an online form, or a cancellation of a previously announced corporate action.

<sup>27</sup> It is this email and/or the update to the user's ASX Online status page indicating that an announcement has been "Released" that is the acknowledgement that the announcement has been released to the market for the purposes of Listing Rule 15.7 (see note 20).

Deleted: 22

Deleted: September

Deleted: 4



# ASX LISTING RULES

## Guidance Note 20

### 11. Back-up facilities

ASX has a facility for lodgement of documents by fax. This is primarily for use by persons other than listed entities who do not have access to ASX Online and who need to give a document to ASX under the Corporations Act.

As far as listed entities are concerned, the fax lodgement facility is strictly for use as an emergency back-up facility if ASX Online is unavailable or if a listed entity is having technical difficulties accessing it.<sup>28</sup>

The fax numbers for this facility are:

For announcements sent within Australia	1300 135 638
For announcements sent from New Zealand	0800 449 707
For announcements not sent from Australia or New Zealand	+61 2 9347 0005 +61 2 9778 0999

In the case of online forms, if technical difficulties are experienced using ASX's online forms, listed entities may complete a word version of the relevant Listing Rule Appendix, convert the document to PDF format and lodge the document as a PDF announcement. This may only be done where ASX has advised the listed entity that ASX's online forms are not working or that it may use that process due to its own technical difficulties. If ASX Online is unavailable for electronic lodgement, the word version of the relevant Listing Rule Appendix may be sent by fax to ASX, using the back-up facility mentioned above.

### 12. Technical difficulties

If a user experiences technical difficulties accessing ASX Online, they should immediately contact:

- the ASX Market Announcements office on 1800 021 065 (international callers +61 2 9227 0335) or MAOgroup@asx.com.au; or
- the ASX Online Help Desk on 1800 028 302 (international callers +61 2 9227 0905).

[If a user experiences particular technical difficulties or has questions about the use of online forms, they should immediately contact ASX by email at onlineforms@asx.com.au.](mailto:onlineforms@asx.com.au)

### 13. For help

The ASX Online website has a range of materials to assist users, including a user guide and webinar relating to online forms, and advice on security, security settings, file size and other technical issues. These can be accessed through the Help menu at [www.asxonline.com](http://www.asxonline.com).

**Deleted:** (although, as explained previously, for technical reasons the fax lodgement facility can also be used by listed entities for the lodgement of proxy voting notifications under section 251AA of the Corporations Act).

**Deleted:**

**Deleted:**

**Deleted:** With the exception of proxy voting notifications under section 251AA, i

**Deleted:** 22

**Deleted:** September

**Deleted:** 4

<sup>28</sup> If ASX Online is available and a listed entity has access to it, the entity must use ASX Online to give a document to ASX for release to the market and not send it to ASX by fax or else it will breach both Listing Rule 15.3 and its ASX Online Agreement.

## **Annexure A: Application and agreement for use of electronic lodgement facility and entity details facility**

### **Part 1 – Application to use electronic lodgement facility and entity details facility**

Name of entity	ASX code*	ABN
<input type="text"/>	<input type="text"/>	<input type="text"/>

Deleted: C

\* If the entity is an AQUA Product Issuer or Warrant-Issuer, leave the ASX code blank (this agreement is intended to apply to all AQUA Products and Warrants issued by the entity regardless of their ASX code).

We (the entity) apply to use the electronic lodgement facility and entity details facility and agree to comply with the terms of this agreement.

### **Part 2 – Agreement**

#### **ASX policy requirements**

1. The ASX policy requirements as in force from time to time form part of this agreement and we agree to comply with them.
2. We acknowledge that ASX may vary the ASX policy requirements at any time by publishing notice of the variation on the ASX web site.

#### **Licence to ASX**

3. We grant ASX a licence to use, copy, redistribute, transmit and publish any information given by us to ASX using the entity details facility.

#### **Validity and reliance**

4. If ASX receives an electronic document in accordance with the ASX policy requirements and the electronic document has been eLodged using the authentication procedures, each of the following apply.
  - (a) The electronic document is as valid, effective and enforceable as if it had been written on paper and signed by us.
  - (b) The electronic document is taken to be authorised and sent by us.
  - (c) The electronic document is taken to be an identical copy of the document that we sent.
  - (d) ASX is entitled to act and rely on the electronic document.
  - (e) If the electronic document contains any representations or warranties, we (the entity) make those representations or warranties.
  - (f) The electronic document complies with the requirements of the ASX Listing Rules, the ASX Operating Rules and the Corporations Act (as applicable).
5. Clause 4 does not apply in the case of a particular document if each of the following apply.
  - (a) Before the electronic document is received by ASX, we give ASX a notice stating that the electronic document is not authorised by us.
  - (b) ASX has a reasonable time to act on that notice before it receives the electronic document.
6. We warrant that where the authentication procedures have been used to enter information using the entity details facility that the information is true and accurate. We acknowledge each of the following.
  - (a) ASX is entitled to act and rely on that information.

Deleted: Listing Rules

Deleted: Guidance Note 20

Deleted: 4

Deleted: March

Deleted: 6

(b) Entry of the information is not compliance with an obligation to give that information to ASX under the ASX Listing Rules or ASX Operating Rules (as applicable).

7. We warrant that where the authentication procedures have been used to enter information using the entity details facility or eLodge documents that the information is not defamatory of any person and release of the information to the market would not be a contempt of court.

#### Limitation of liability

8. Except to the extent that a warranty is implied by law or liability by law cannot be excluded, each of the following apply.

(a) ASX does not warrant that the electronic lodgement facility or entity details facility provided will be available or will function or perform as expected or required.

(b) ASX is not liable to us or any other person for any loss, damage, costs or expenses of any kind arising out of or in connection with any delay, omission, default or error by ASX in relation to the availability, functionality or performance of the ASX web site, the electronic transmission, receipt or any other dealing with an eLodged document, or any dealing with the information entered using the entity details facility, except where such loss, damage, costs or expenses are due to a wilful, unlawful or negligent act or omission on the part of ASX.

(c) ASX is not liable to us or any other person for any indirect or consequential loss or damage, or loss of data or profits, whether or not ASX was aware of the possibility of such loss or damage.

9. We shall at all times indemnify and hold harmless, ASX, its subsidiary companies and their officers, employees and agents from and against any loss (including reasonable legal costs and expenses) or liability incurred or suffered by any of them arising from any proceedings against them where such loss or liability was caused by any of the following.

(a) A breach by us of our obligations (including warranties) under this agreement.

(b) Any wilful, unlawful or negligent act or omission by us.

#### Termination of this agreement

10. ASX may terminate this agreement in any of the following cases.

(a) At any time, by giving us not less than 14 days written notice.

(b) Immediately, if we are in breach of any term of this agreement.

(c) Immediately, if ASIC terminates our ability to lodge documents electronically with ASX as agent for ASIC (if applicable).

11. We may terminate this agreement at any time by giving ASX not less than 14 days' notice.

#### Governing law

12. This agreement is governed by the law of New South Wales.

#### Definitions

13. Expressions that are not defined in this agreement, but have a particular meaning in the ASX Listing Rules or ASX Operating Rules (as applicable) have the same meaning in this agreement.

14. The following expressions have the meanings set out below.

Expressions	Meanings
agreement	this agreement for use of the electronic lodgement facility and entity details facility, including the ASX policy requirements

- Deleted: Listing Rules
- Deleted: Guidance Note 20
- Deleted: 4
- Deleted: March
- Deleted: 6

<b>Expressions</b>	<b>Meanings</b>
ASIC	Australian Securities and Investments Commission
ASX	ASX Limited, ACN 008 624 691
ASX policy requirements	the document described as "ASX policy requirements" available on the ASX web site which further outlines our obligations. ASX may amend this document from time to time by publishing notice of the variation on the ASX web site
ASX web site	means the web site at the address <a href="https://www.asxonline.com">https:// www.asxonline.com</a> or such other address as notified by ASX
authentication procedures	the procedures set out in the ASX policy requirements for ensuring secure use of the electronic lodgement facility and the entity details facility
electronic document	a document in the form of a digital representation of information generated, sent, received or stored by electronic, optical or similar means, but excluding a facsimile.
electronic lodgement facility	the facility which enables a listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable) to transmit electronic documents to ASX in accordance with the ASX policy requirements available at <a href="https://www.asxonline.com">https://www.asxonline.com</a> or such other address as notified by ASX
eLodgement	electronic lodgement of a document using the electronic lodgement facility
entity details facility	the facility which enables a listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable) to enter details regarding the listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable) in accordance with the ASX policy requirements available at <a href="https://www.asxonline.com">https://www.asxonline.com</a> or such other address as notified by ASX
personal information	means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether in material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion

**EXECUTED** for and on behalf of the above entity.

Signature.....  
Name.....  
Position (Director of \*company/responsible entity).....

*\*Cross out the description that does not apply*

Signature.....  
Name:.....  
Position (\*Director/Secretary of \*company/responsible entity).....

*\*Cross out the description that does not apply*

Date .....

*Note: In the case of a company, the agreement must be signed by two authorised officers. In the case of a trust, it must be signed by two authorised officers of the responsible entity.*

*In the case of a company or responsible entity to which the Corporation Act applies, the two authorised officers must be two directors or a director and secretary (ie the document must be executed in accordance with section 127 of the Corporations Act)*

- Deleted:** Listing Rules
- Deleted:** Guidance Note 20
- Deleted:** 4
- Deleted:** March
- Deleted:** 6

## ASX policy requirements for use of electronic lodgement facility and entity details facility

Current: [1 December 2019](#)

### Part 1 – Documents that may be given to ASX electronically

- 1.1 Documents required to be given to ASX by a listed entity for release to the market under the ASX Listing Rules or the Corporations Act must be eLodged.
- 1.2 Documents required to be given to ASX by someone other than a listed entity under the Corporations Act for release to the market may be eLodged.
- 1.3 Documents required to be given to ASX by a Warrant-Issuer or AQUA Product Issuer for release to the market under the ASX Operating Rules must be eLodged.
- 1.4 No other documents may be eLodged.

### Part 2 – Access to the electronic lodgement facility and entity details facility

- 2.1 We must obtain and operate our own internet access, computer, hardware, software and all other equipment required to access the electronic lodgement facility and entity details facility.
- 2.2 We must obtain and pay for our own reliable internet access and communications links to ASX.
- 2.3 We must use software that converts documents into pdf such as Adobe Acrobat.
- 2.4 We must convert a document to pdf before transmitting it to ASX.

### Part 2A – Online forms

- 2A.1 Where ASX makes available an online form relating to a matter, we must generate a document for release to the market by completing the relevant online form made available by ASX and lodging it through the part of the electronic lodgement facility provided for the lodgement of online forms.
- 2A.2 We must provide the information in the online form within the timeframes specified in the online form.
- 2A.3 Where we have lodged an online form in respect of a matter, we must make any change to the information in the online form by lodging an online form which is an update to or cancellation of the original online form.
- 2A.4 Where we have lodged an online form which contains information inconsistent with information we have provided in a PDF announcement, we acknowledge that ASX will treat the information in the online form as being accurate unless we advise ASX otherwise and undertake to immediately lodge an update to the online form which corrects the inconsistency.

### Part 3 – Authentication procedures

- 3.1 In order to access the electronic lodgement facility and entity details facility each user must enter a unique username and password.
- 3.2 We will ensure our users do not disclose their username or password to any person not authorised by us to use them.
- 3.5 If we suspect that a user's username or password has been disclosed to a person not authorised by us to use ASX Online, we must immediately de-activate the user or change the password and notify the ASX Help Desk by telephone and email to the following number and email address.

ASX Online Help Desk  
ASX Limited  
20 Bridge Street  
Sydney NSW 2000

Deleted: .  
Page Break

Deleted: 4

Deleted: April

Deleted: 4

Deleted: , with the exception of the following

Deleted: • Record of proxy votes under section 251AA of the Corporations Act.¶  
A record of proxy votes under section 251AA of the Corporations Act may be eLodged but it is not mandatory for this to occur.¶

Deleted: ay

Deleted: Listing Rules

Deleted: Guidance Note 20

Deleted: 4

Deleted: March

Deleted: 6

Ph: 1800 028 302  
Email: [asxonline@asx.com.au](mailto:asxonline@asx.com.au)

#### Part 4 – Using the electronic lodgement facility and entity details facility

- 4.1 We agree to comply with all directions issued by ASX which relate to access and use of the electronic lodgement facility or entity details facility.
- 4.2 ASX is not obliged to provide training in use of the electronic lodgement facility or entity details facility. We acknowledge that if ASX does provide any training to us, ASX takes no responsibility for that training.

#### Part 5 – Acknowledgment of release

- 5.1 After an eLodged document has been released to the market, ASX will email an acknowledgment of release to the email address or addresses nominated by us using the entity details facility.

#### Part 6 – Nominating an email address for acknowledgment

- 6.1 Before eLodging a document we must nominate an email address or addresses using the entity details facility.

#### Part 7 – Compliance with the Privacy Act 1988 (Cth)

- 7.1 We acknowledge that documents given to ASX via the electronic lodgement facility and/or the entity details facility, may contain personal information about individuals, such as directors or employees of the listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable).
- 7.2 We agree that unless otherwise directed by ASX, we will take all reasonable steps to ensure individuals whose personal information we disclose to ASX via the electronic lodgement facility and/or the entity details facility, are aware of the following information:-
- (a) the personal information has primarily been collected by ASX for the purpose for which the listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable) provided it and may have been collected by ASX pursuant to the Corporations Act 2001 (Cth) and/or the ASX Listing Rules and/or the ASX Operating Rules (as applicable);
  - (b) a failure to provide the personal information may result in the listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable) being in breach of the Corporations Act 2001 (Cth) and/or the ASX Listing Rules and/or the ASX Operating Rules (as applicable);
  - (c) ASX may be required to disclose the personal information to ASIC pursuant to the Corporations Act 2001 (Cth). Users of the electronic lodgement facility and/or the entity details facility may also be able to view personal information of relevant individuals that relates to the listed entity, AQUA Product Issuer or Warrant-Issuer (as applicable) via a search facility. ASX will not otherwise disclose the personal information that is collected to any other organisation or individuals unless the relevant individual consents or ASX is permitted to do so under the Privacy Act 1988 (Cth); and
  - (d) the individual can seek access to personal information provided to ASX via the electronic lodgement facility and the entity details facility by contacting the ASX Chief Privacy Officer – Legal Services Division at [privacy@asx.com.au](mailto:privacy@asx.com.au), or on (02) 9227 0878, or by writing to the Chief Privacy Officer at PO Box H224, Australia Square, NSW, 1215.
- 7.3 We acknowledge that ASX will rely on the accuracy, completeness and currency of any personal information that we provide to ASX via the electronic lodgement facility and the entity details facility.
- 7.4 We will use our best endeavours to contact ASX if any of the personal information provided to ASX via the electronic lodgement facility and/or the entity details facility should change.

Deleted: Listing Rules

Deleted: Guidance Note 20

Deleted: 4

Deleted: March

Deleted: 6

**Part 8 – Notices**

8.1 Unless otherwise specified in this agreement, to give a notice to ASX under this agreement, we must tell ASX in writing at the following facsimile number.

ASX Online Help Desk  
ASX Limited  
20 Bridge Street  
Sydney NSW 2000

Ph: 1800 028 302  
Fax: (02) 9227 0885

8.2 Unless otherwise specified in this agreement, to give a notice to us under this agreement, ASX must tell us in writing at the facsimile number given to ASX under ASX Listing Rule 3.14 or ASX Operating Rule 6901 (as applicable).

8.3 A notice is taken to be given on production of a transmission report by the machine from which the facsimile was sent which indicates that the facsimile was sent in its entirety to the facsimile number of the recipient.

**PLEASE NOTE:**

**On completion of the Agreement, please forward to:**

**ASX Online Help Desk  
ASX Limited  
20 Bridge Street  
SYDNEY NSW 2000**

- Deleted: Listing Rules
- Deleted: Guidance Note 20
- Deleted: 4
- Deleted: March
- Deleted: 6