

Listed@ASX Compliance Update

25 August 2016



Update no 8/16

1. Guidelines on title headers to ASX announcements

Listed entities are reminded of the guidance in paragraph 12 of [ASX Guidance Note 14](#) and paragraph 9 of [ASX Guidance Note 20](#) about giving an announcement that contains market sensitive information a header that clearly conveys this fact. ASX has had issues with announcements that have headers that convey an impression that they are not market sensitive when they have embedded within them market sensitive information.

Some examples are:

- *"Cleansing Notice and Receipt of Indicative, Non-binding and Conditional Proposal"* as opposed to just *"Cleansing Notice"*
- *"Notice of AGM and Buy Back Offer"* as opposed to just *"Notice of Annual General Meeting"*

Alternatively and preferably, market sensitive announcements should be made on a stand-alone basis and not embedded in other announcements that may not be market sensitive.

2. Updating entity and user details on ASX Online

Listed entities are reminded that it is imperative that their ASX Online company details and user details (particularly, email addresses; telephone numbers; and postal addresses) are kept up-to-date.

ASX uses the information in the "User Details" section for important communications to listed entities and to resolve any queries in relation to announcements. ASX recommends that users to supply both their mobile and office phone numbers to facilitate contact on urgent matters.

ASX Online also allows a user to update company details, (including the removal and additions of directors and company secretaries), in the "Company Details" menu. However, it is important to note that certain changes effected on ASX Online do not absolve the need to immediately announce them on ASX. For example, a change of address, telephone number or facsimile number of its registered office or principal administrative office (Listing Rule 3.14); or a change of chairperson, director, chief executive officer (or equivalent), or company secretary (Listing Rule 3.16.1)) must all be immediately announced on the ASX Market Announcements Platform as well as being updated on ASX Online.

If you require assistance please do not hesitate to contact ASX Customer Service on 131 ASX (131 279) or email ASX.Online@asx.com.au.

3. Lodging your notice of meeting for your AGM with ASX

Listed entities must hold their AGMs within 5 months of their financial year end. Almost 90% of ASX's listed entities have a balance date of 30 June and therefore have to hold their AGMs by 30 November each year.

Under Listing Rule 15.1.7, draft notices of general meeting that contain resolutions for Listing Rules purposes must be submitted to ASX for review before they are sent to security holders. Listing Rule 15.1 provides that ASX may take 5 business days to advise whether it objects to a draft document and may extend that deadline that it needs further time to review the document.

ASX asks listed entities to bear these timing requirements in mind and allow sufficient time when they submit their draft notices of meeting for ASX to review. This is particularly important if there are a number of resolutions or complex transactions to be considered.

If you will require waivers from any listing rules in connection with your notice of AGM, additional time should be allowed to obtain the waiver as the 5 business day period referred to above does not include the time needed to obtain a waiver. Listed entities should contact their Listings Compliance Adviser to seek advice on how long ASX needs to process a waiver request.

4. Dividend and distribution information

Listed entities declaring a dividend or distribution for the period ending 30 September 2016 are reminded that they must use ASX Online forms to announce the dividend or distribution and that if they wish to set a record date of 30 September 2016, they will need to announce the dividend or distribution by no later than **26 September 2016** (Day 0 in the Appendix 6A Paragraph 1 timetable).

Listed entities should include the following information in such announcements (see [Appendix 6A](#) paragraph 1):

- Conduit foreign income - where an entity announces a dividend or distribution that is fully or partially unfranked, the announcement should make clear the conduit foreign income (CFI) component of that dividend or distribution, even if the CFI component is nil.

In the online form, please note that questions 3A.4 Franked amount, 3A.6 Unfranked amount and 3A.7 Conduit Foreign Income amount should all add up to the total amount of the dividend/distribution as advised at question 3A.1b (that is, the Conduit Foreign Income amount is exclusive of the Unfranked amount).

The announcement of franking details is not compulsory when announcing an estimate of a dividend or distribution.

- Dividend/distribution reinvestment plans (DRP) - where an entity has a DRP or other plan in place, ASX requests that the entity make it clear in the announcement whether the DRP will operate or will be suspended for that particular dividend or distribution. If the DRP will operate, the following information should also be given:
 - the last date for electing to participate in the DRP (question 4A.2 in the online form);
 - the discount rate, if applicable (question 4A.3 in the online form);
 - the ranking of the securities to be issued pursuant to the DRP (question 4A.8a in the online form); and
 - pricing period and the pricing methodology for determining the issue price under the DRP (questions 4A.4 and 4A.5 in the online form).

If at the time when the dividend or distribution is announced it has not been decided by the entity whether the DRP will operate, or the above details are not known, the entity should give an indication of when the entity expects to confirm details of the DRP's operation (using Part 5 'Further information' if advising by online form).

Listed entities are also reminded to advise any update to dividend information (including actual amounts and DRP prices) by completing and submitting an Updated Online Form.

If you have any questions please contact your Listings Compliance Adviser or email: onlineforms@asx.com.au.

5. Periodic report due date reminder

Listed entities are reminded of upcoming deadlines for periodic reports:

- Preliminary final reports, 30 June balance date: *Wednesday 31 August 2016*
- Statutory half year financial reports (except mining exploration entities), 31 December balance date: *Wednesday 31 August 2016*
- Statutory half year financial reports for mining exploration entities, 31 December balance date: *Tuesday 13 September 2016*
- Statutory audited annual accounts, 30 June balance date: *Friday 30 September 2016*
- Annual reports, 30 June balance date: *Monday 31 October 2016*
- Next quarterly reports for mining and commitments test entities: *Monday 31 October 2016*

6. Correction

In the last Listed@ASX Update 07/16 issued on 25 July 2016, a previous draft version of the item: *Updating ASX's admission requirements for listed entities - change in transition date and to conditions for relief from the '20 cent' rule* was inadvertently published. The correct version of this item is available on the ASX website [here](#).

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