



Listed@ASX

Compliance Update 3 February 2020 Update no 01/20

1. New rules for notifying ASX of the issue of securities

Listed entities are reminded of the new rules for notifying ASX of the issue of securities that came into effect on 1 December 2019. In summary, a listed entity must notify ASX:

- immediately, via an Appendix 3B, of a proposed issue of:
 - equity securities (other than an issue to be made under a dividend or distribution plan or an employee incentive scheme ('EIS') or as a consequence of the conversion of any convertible securities), or
 - debt securities intended to be quoted on ASX (Listing Rule 3.10.3)
- within 5 business days of an issue of equity securities under an EIS (Listing Rule 3.10.3A)
- within 10 business days of an issue arising from the conversion of convertible securities (Listing Rule 3.10.3B), and
- within 5 business days, if unquoted partly paid securities become fully paid securities in the same class as quoted fully paid securities (Listing Rule 3.10.3C).

In the last 3 instances above, the notification should be via an Appendix 2A (if the resulting securities are to be quoted) or an Appendix 3G (if the resulting securities are to be unquoted).

2. Upgrades to Appendix 3B and Appendix 4A online STP forms

Listed entities are reminded that from 1 February 2020, they must use the online

Appendix 3B form to notify ASX of a proposed issue of securities under Listing Rule 3.10.3. ASX will only accept PDF lodgement of these forms in an emergency where the online forms are not able to be used.

Dual listed entities that have CDIs on issue are similarly reminded that from 1 February 2020, they must provide a monthly statement of CDIs on issue under Listing Rule 4.11 using the online Appendix 4A form. ASX will only accept PDF lodgement of these forms in an emergency where the online forms are not able to be used.

While there are Microsoft word versions of the Appendix 3B and Appendix 4A forms published on the 'Login' and 'Forms' pages of ASX Online that can be used to create PDF versions of those forms, they are there as a back-up and are only to be used in an emergency where the online forms are not available.

The online Appendix 3B and Appendix 4A forms can be accessed on the 'Create Online Forms' page of ASX Online for Companies.

ASX released into production upgrades to the Appendix 3B and Appendix 4A online forms on 22 January 2020 to address issues identified during their initial period of use. ASX also released an update to the Microsoft word version of the Appendix 3B form on the 'Login' and 'Forms' pages of ASX Online on 31 January 2020 to better align the online and word versions.

ASX recommends that listed entities delete any drafts of online Appendix 3B forms they may have saved on the ASX Online for Companies 'Manage Online Forms' page pre-22 January 2020 to ensure they are using the latest versions of the online form.

3. Updates to Appendix 2A and Appendix 3G forms

On 31 January 2020, ASX released updated versions of:

- the Appendix 2A form (used to apply for the quotation of securities under Listing Rule 2.7); and
- the Appendix 3G form (used to notify ASX of the issue, conversion or payment up of equity securities that are not going to be immediately quoted under Listing Rules 3.10.3A, 3.10.3B and 3.10.3C).

The updated Appendix 2A and Appendix 3G forms are available as Microsoft word documents on the 'Login' and 'Forms' pages of ASX Online. These can be used to create the form, convert it to a PDF and then lodge it as an announcement to the Market Announcements Platform in the usual way.

ASX recommends that listed entities delete any draft Appendix 2A and Appendix 3G forms they may have created pre-31 January 2020 to ensure they are using the latest versions of those forms.

4. Upcoming deadlines for periodic reports

Listed entities are reminded of upcoming deadlines for periodic reports:

- Half year accounts for entities other than mining exploration and oil and gas exploration entities (June year-end) – Friday 28 February 2020

- Preliminary final reports for entities other than mining exploration and oil and gas exploration entities (December year-end) – Friday 28 February 2020
- Half year accounts for mining exploration and oil and gas exploration entities (June year-end) – Friday 13 March 2020
- Full year audited accounts/auditor's report/directors' statement (December year-end) – Tuesday 31 March 2020
- Quarterly activity and cash flow reports for mining exploration, oil and gas exploration and commitments test entities – Thursday 30 April 2020

Quarterly reporters are reminded that they must use the new form of Appendix 4C or Appendix 5B (as applicable) published with the Listing Rule changes that came into effect on 1 December 2019 for their quarterly cash flow reports for the quarter ended 31 March 2020.

Appendix 4C filers must for the first time also lodge a quarterly activities report under Listing Rule 4.7C for the quarter ended 31 March 2020, along with their quarterly cash flow report. Failure to do so will result in an automatic suspension of the entity's securities under Listing Rule 17.5.

5. Dividend and distribution information - 31 March 2020

Listed entities declaring a dividend or distribution for the period ending 31 March 2020 are again reminded that they must use ASX Online forms to announce the dividend or distribution and that if they wish to set a record date for that period, they must announce the dividend or distribution by no later than Wednesday **25 March 2020** (Day 0 in the [Appendix 6A](#) Paragraph 1 timetable).

Listed entities should include the following information in such announcements:

- 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 ASX Listings Compliance Adviser or email: onlineforms@asx.com.au.

6. Subscribe to Listed@ASX - Compliance Update

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