

Class Waiver Decision – New Zealand Financial Reporting Relief

Note: This Class Waiver Decision replaces the ASX Class Waiver Decision dated 31 March 2020.

1. Subject to Resolution 2 below and pursuant to listing rule 18.1, in order to give effect to the class waiver granted by NZX Regulation and statutory relief provided by New Zealand Financial Markets Authority on 3 April 2020 in relation to periodic reporting deadlines (the “**NZX Class Waiver**”), ASX Limited grants New Zealand incorporated entities with a standard ASX Listing who are also listed on the NZX Main Board and have full year balance dates between 30 September 2019 and 31 July 2020 (both dates inclusive) the following waivers.
 - 1.1 A waiver from listing rule 4.2B to the extent necessary to permit the entity to give the information and documents required by listing rule 4.2A to ASX immediately they are ready to be given to ASX, and no later than the time that it lodges any accounts with ASIC or the regulatory authorities in the jurisdiction in which it is established, and in any event no later than 90 days after the end of the accounting period.
 - 1.2 A waiver from listing rule 4.3B to the extent necessary to permit the entity to give the information and documents required by listing rule 4.3A to ASX immediately they are ready to be given to ASX, and no later than the time that it lodges any accounts with ASIC or the regulatory authorities in the jurisdiction in which it is established, and in any event no later than 90 days after the end of the accounting period.
 - 1.3 A waiver from listing rule 4.5.2 to the extent necessary to permit the entity to give to ASX a copy of the accounts and other documents required to be lodged under section 601CK of the Corporations Act, when it lodges them with ASIC and in any event no later than five months after the end of the accounting period.
 - 1.4 A waiver from listing rule 4.5.3 to the extent necessary to permit the entity to give to ASX a copy of the documents that it would be required to give ASX under rule 4.5.2 if it had to comply with the requirements of that section, no later than five months after the end of the accounting period.
 - 1.5 A waiver from listing rule 19.5 to the extent necessary permit any due dates falling upon a weekend or another non NZX trading day for documents lodged in accordance with the waivers granted in Resolutions 1.1 to 1.4 (inclusive) above, to be the close of business on the immediately following business day.
2. Resolution 1 is subject to the entity complying with the NZX Class Waiver.

Background to the Class Waiver

On 19 March 2020, the New Zealand Financial Markets Authority and NZX Regulation announced that they had granted financial reporting class relief, extending the deadlines for filing financial statements and annual reports for NZX listed entities with balance dates between 30 September and 31 May. On 3 April 2020, this relief was extended to also cover balance dates up to and including 31 July.

Under the NZX Class Waiver, NZX listed entities will have up to an additional 30 days to prepare and release their results announcements (including preliminary interim and full year financial statements), and up to an additional two months to prepare and release their annual reports. Further details are available at <https://www.nzx.com/announcements/351252>.

Dual listed ASX/NZX entities admitted to ASX as Foreign Exempt Listings are not subject to the ASX reporting requirements in chapter 4 of the ASX listing rules and simply lodge with ASX whatever documents they are required to lodge with the NZX. They automatically qualify for the extension to their filing deadlines under the NZX Class Waiver without needing to do anything under the ASX listing rules.

Dual listed ASX/NZX entities admitted to ASX as standard ASX Listings are ordinarily subject to the ASX reporting requirements and deadlines in chapter 4 of the ASX Listing rules. To facilitate the operation of the NZX Class Waiver, ASX has granted an equivalent class waiver under listing rule 18.1 to dual listed ASX/NZX entities incorporated in New Zealand and admitted to ASX as a standard ASX Listing, extending the reporting deadlines in chapter 4 to the substituted deadlines provided in the NZX Class Waiver.

Dated 7 May 2020

Authorised and signed by:

David Barnett

David Barnett
General Manager, ASX Listings Compliance