

## ASX ONLINE

<p><b>The purpose of this Guidance Note</b></p>	<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>
<p><b>The main points it covers</b></p>	<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 announcement 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>
<p><b>Related materials you should read</b></p>	<ul style="list-style-type: none"> <li>• Annexure A: <u><i>Application and agreement for use of electronic lodgement facility and entity details facility</i></u> (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> <li>• Guidance Note 30 <i>Notifying Changes in Issued Securities and Applying for Quotation of New or Additional Securities</i></li> </ul>

**History:** Guidance Note 20 amended 05/06/21. Previous versions of this Guidance Note were issued in 09/01, 03/02, 01/03, 03/03, 05/08, 06/12, 09/14, 03/16 and 12/19.

**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.

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## 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

<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 former 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.

- the entity meets the requirements set and published by ASX for giving a document to ASX electronically.<sup>6</sup>

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 and changes to securities on issue – including dividends or other distributions,<sup>9</sup> interest payments or changes in interest rates,<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> actual issues of securities that are intended to be quoted on ASX,<sup>15</sup> buy-backs of securities,<sup>16</sup> the issue, conversion or payment up of unquoted equity securities,<sup>17</sup> the cessation of securities,<sup>18</sup> and monthly notifications of CDIs on issue<sup>19</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>20</sup> or

<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.

<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(b) and Appendix 3A.1 *Notification of dividend/distribution*.

<sup>10</sup> Listing Rule 3.22(b) and Appendix 3A.2 *Notification of interest payment & interest rate change*.

<sup>11</sup> Listing Rule 3.10.1(a) and Appendix 3A.3 *Notification of Security Consolidation or Split*.

<sup>12</sup> Listing Rule 3.10.1(a) and Appendix 3A.3 *Notification of Security Consolidation or Split*.

<sup>13</sup> Listing Rule 3.10.1(b) and Appendix 3A.4 *Notification of cash return of capital*.

<sup>14</sup> Listing Rule 3.10.3 and Appendix 3B *Proposed issue of securities*. The Appendix 3B is a smart form that adjusts to request relevant data based on whether the proposed issue is:

- a bonus issue;
- a standard non-renounceable pro rata issue;
- a standard renounceable pro rata issue;
- an accelerated non-renounceable entitlement offer (commonly known as a "JUMBO" or "ANREO");
- an accelerated renounceable entitlement offer (commonly known as an "AREO");
- a simultaneous accelerated renounceable entitlement offer (commonly known as a "SAREO");
- an accelerated renounceable entitlement offer with dual book-build structure (commonly known as a "RAPIDS");
- an accelerated renounceable entitlement offer with retail rights trading (commonly known as a "PAITREO");
- an offer under an SPP;
- a non pro rata offer under a disclosure document or PDS;
- a non pro rata offer to wholesale investors under an information memorandum; or
- a placement or other type of issue.

<sup>15</sup> Listing Rules 2.7, 3.10.3A, 3.10.3B, 3.10.3C and 3.10.3D and Appendix 2A *Application for quotation of securities*. As the name implies, the Appendix 2A also incorporates an application for the quotation of the securities notified in the form.

<sup>16</sup> Listing Rule 3.8A and Appendix 3C *Notification of buy-back*.

<sup>17</sup> Listing Rules 3.10.3A, 3.10.3B, 3.10.3C and 3.10.3D and Appendix 3G *Notification of issue, conversion or payment up of unquoted equity securities*.

<sup>18</sup> Listing Rule 3.10.3E and Appendix 3H *Notification of cessation of securities*.

<sup>19</sup> Listing Rule 4.11 and Appendix 4A *Statement of CDIs on Issue*.

<sup>20</sup> Listing Rules 15.3(a) and (b)(i) and Appendices 2A, 3A.1, 3A.2, 3A.3, 3A.4, 3B, 3C, 3G, 3H and 4A.

- in all other cases, by uploading the document as a PDF document using the electronic lodgement (“Elodgement”) facility within ASX Online, with that document then being released to the market via MAP.<sup>21</sup>

The online forms made available for the notification of corporate actions and changes to securities on issue contain validation rules designed to ensure that all the key information the market requires in relation to the notification is included and, in the case of a corporate action, the proposed timetable for the corporate action complies with any applicable timetable set out in the Listing Rules. They also trigger system-generated warnings if the notified event might create issues with a concurrent event.<sup>22</sup>

Unless ASX agrees otherwise, where ASX has made available an online form for a notification, a document for release to the market in relation to that notification must be generated by completing the relevant online form and lodging it through ASX Online.<sup>23</sup> Any changes to the information in the form must be made by lodging an update to, or cancellation of, the original form using the same facility.<sup>24</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>25</sup>

The online forms for the notification of corporate actions or changes to securities on issue 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 or change to securities on issue 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, and track the progress of the lodged form as it is processed by the ASX Markets Announcements Office. Authorised users can also access any previously lodged and released online form notifying a corporate action or change to securities on issue in order to lodge an update to, or cancellation of, that notification.

The online forms functionality also allows a user to generate a PDF equivalent of the announcement before it is submitted and released online, intended for internal use by the entity (eg to facilitate checking of the information in the form or as part of an internal approval process). This PDF is watermarked with “DRAFT”. Users should not attempt to lodge the draft PDF announcement using the Elodge PDF Announcement functionality mentioned in the next paragraph.<sup>26</sup> The ASX Market Announcements Office (“MAO”) will monitor for any PDF announcement with a “DRAFT” watermark lodged using that facility and, if detected, will contact the listed entity to advise it that the draft announcement will be deleted pre-release and should instead be submitted using the online form functionality.

The electronic lodgement facility for lodging PDF announcements is accessed by the “Elodge 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 a “Company Details” section, 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 [www2.asx.com.au/](http://www2.asx.com.au/).

<sup>21</sup> Listing Rules 15.3(a) and (b)(ii).

<sup>22</sup> For example, under Listing Rule 7.13 or 7.14.

<sup>23</sup> Listing Rules 15.3(a) and (b)(i).

<sup>24</sup> Listing Rule 15.3(c).

<sup>25</sup> Listed entities access the area of ASX Online called “ASX Online – Companies”. ASX Online also has areas called “ASX Online – Participant” and “ASX Online – Professional Adviser”. References to ASX Online below are to the ASX Online – Companies area.

<sup>26</sup> Apart from anything else, having an announcement with a draft watermark lodged on MAP will likely confuse readers as to its status.

ASX Online also has a “User Details” section that allows nominated administrators to add new users; change the contact details of existing users; set, re-set or revoke 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” functionality in the Elodgement Centre 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>27</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 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.

#### 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;

<sup>27</sup> See also ASIC Regulatory Guide 28 *Relief from Dual Lodgement of Financial Reports*.

- 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 currently allows for user-types with the following privileges:

- Administrator – can create new users; change the contact details of existing users; re-set user names; set, re-set and revoke the access level of users; and set and reset passwords for other ASX Online users within the listed entity;
- eLodgement 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 “Company Details” menu.
- Read only user – can access ASX Online for read only purposes (these users cannot access the Create Online Forms, Manage Online Forms or Elodge PDF Announcement pages in ASX Online).

Listed entities should note that eLodgement users may issue announcements to the market on behalf of the listed entity and accordingly should take care in assigning that user-type within the listed entity. In particular, they should immediately revoke the authorisation of an eLodgement user as soon as they cease to be employed by the listed entity or are transferred into a role where they no longer need access to ASX Online.

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 as well as office phone numbers, to facilitate contact outside of office hours.

## 8. Granting access to external advisers

ASX is aware that some listed entities seek assistance from external advisers (such as lawyers, brokers or other professional advisers) in preparing online forms for more complex corporate actions. Often these advisers will use the emergency Microsoft Word version of the relevant online form, populate that form manually and then forward it to the listed entity for checking. If the listed entity is happy with the data in the Microsoft Word version of the form, they will then re-key it into the online form, for lodgement with ASX. This is a fairly inefficient way of handling this process.

ASX would point out that ASX Online allows listed entities to authorise specific users outside their organisation, such as external advisers, as eLodgement users. These users can then populate and save the relevant form as a draft electronic form in ASX Online. An authorised eLodgement user at the listed entity can then review the draft online form in ASX Online, make any necessary changes, and lodge it with ASX for release to the market without having to re-key any of the data in the draft form.

Listed entities again should note that eLodgement users may publish announcements to the market on behalf of the listed entity and accordingly should take care in assigning that user-type to external advisers. In particular, the entity should immediately revoke the authorisation of an external adviser as an eLodgement user as soon as the relevant corporate action has been announced to the market and it is no longer necessary for the adviser to have access to the entity's ASX Online service.

## 9. File requirements

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

All other documents lodged using the electronic lodgement facility must be in PDF<sup>28</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.

## 10. Guidelines for announcement headers

ASX Online automatically assigns a title or header for an announcement about a corporate action or change to securities on issue made via an online form, as follows:

Listing Rule Appendix	Header for market announcement generated by online form
Appendix 2A	(1) – Application for quotation of securities – (3)
Appendix 3A.1	(1) – Dividend/Distribution – (2)
Appendix 3A.2	(1) – Interest Payment – (2)
Appendix 3A.3	(1) – Consolidation/Split – (3)
Appendix 3A.4	(1) – Return of Capital – (2)
Appendix 3B	(1) – Proposed issue of securities – (3)
Appendix 3C	(1) – Notification of buy-back – (3)
Appendix 3G	(1) – Notification regarding unquoted securities – (3)

<sup>28</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.

Appendix 3H	(1) – Notification of cessation of securities – (3)
Appendix 4A	(1) – Statement of CDIs on issue – (3)

where:

- (1) = “Update” or “Cancel”, if applicable. If the announcement is “New”, (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).

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

For all announcements other than online forms, the user must supply a title or header for an announcement. The “Eldodge PDF Announcement” page of ASX Online includes an “announcement header” field where a title for an announcement can be inserted.<sup>29</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.

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 “Appointment of CEO” or “Cleansing Notice”).

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.

## 11. Confirmation of transmission

Where a user successfully lodges a document with ASX 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>30</sup> and the Status of Announcements page (and, if the lodgement was via an online form, the Manage Online Forms page<sup>31</sup>) on ASX Online will be updated with a document id and to show that the announcement has been “Delivered” (ie received by ASX).

As the announcement is processed by the MAO, its status will be updated to “Accepted”, “In Progress” and then finally “Released”.

<sup>29</sup> The announcement header field in ASX Online is limited to 60 characters.

<sup>30</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 of Announcements page on ASX Online as the announcement is processed.

<sup>31</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 new corporate action or of a new change to securities on issue being notified to ASX for the first time, an update to a corporate action or to a change to securities on issue already announced by an online form, or a cancellation of a previously announced corporate action or of a change to securities on issue.

Once an announcement has been released by the MAO to the market, ASX will send an email to the entity confirming that fact.<sup>32</sup> The email will attach a copy of the released announcement.

If the announcement is tagged by the MAO 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.

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 MAO.

Where ASX deletes an announcement from MAP prior to its release to the market, whether of its own volition or at the request of a listed entity, the status of “Deleted Pre Release” will be shown on the Status of Announcements page.

## 12. 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>33</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 8298 8260

To ensure that faxed documents are readable and can be processed quickly, ASX requests that parties apply the following guidelines when faxing documents to the MAO:

- documents must be typed and not handwritten, preferably using a standard font such as Arial, Courier, Helvetica, Times or Times New Roman and in no less than 11 point type;
- where possible, include original documents rather than photocopies in the fax transmission that are printed on plain, white or gloss paper;
- use reasonable spacing between paragraphs and avoid underlining or background shading;
- ensure tables are well-spaced and that the data in them is in a legible font;
- note that faxed documents are reproduced in black and white and ensure that any graphics or charts that include colours will still be legible if converted to black and white; and

<sup>32</sup> It is this email and/or the update to the lodging entity’s Status of Announcements page on ASX Online 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 30 above).

<sup>33</sup> If ASX Online is available and a listed entity has access to it, unless ASX agrees otherwise, 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.

- transmit the fax on 'fine' mode.<sup>34</sup>

The cover page for a fax should include the total number of pages in the transmission and the contact details for a person the MAO can contact in case of problems with the transmission.

It should be noted that any cover page included in a fax transmission to the MAO will also be included in the document released on MAP and the sender should ensure that it is appropriate for that purpose.

### 13. Technical difficulties accessing ASX Online

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

- the MAO on 1800 021 965 (international callers +61 2 8298 8044) or MAOgroup@asx.com.au; or
- the ASX Online Help Desk on 1800 028 302 (international callers +61 2 9227 0905),

for assistance. If the entity has an urgent need to lodge an announcement with ASX and is not able to wait until the technical difficulty is resolved, they will likely be advised to fax the announcement to ASX using the emergency fax facility mentioned in section 12 above.

### 14. Technical difficulties accessing ASX's online forms

If a listed entity can access ASX Online but is experiencing technical difficulties accessing any of ASX's online forms, they should immediately contact the ASX online forms team by email at [onlineforms@asx.com.au](mailto:onlineforms@asx.com.au) for assistance.

If the entity has an urgent need to lodge an online form with ASX and is not able to wait until the technical difficulty is resolved, they will likely be advised to complete a Microsoft Word version of the relevant form, convert the document to PDF format and lodge the document as a PDF announcement.<sup>35</sup>

The emergency Microsoft Word version of each online form is available from the Login page of ASX Online, or the Forms page once the user is logged in.

### 15. Problems completing a particular ASX online form

If an entity can access ASX's online forms but is having trouble completing a particular online form (eg because the form does not allow them to enter the information they wish to or the data they enter fails a mandatory validation test<sup>36</sup>), they should contact their ASX Listings Compliance Adviser to discuss how to address the issue. Depending on the nature of the issue, the entity may be advised to:

- submit an online form but supplement the disclosures in the online form using the "any other information" field in that form;
- submit an online form but lodge a separate PDF announcement to supplement the disclosures in the online form (in which case, the entity should note in the "any other information" field in the online form that it is

<sup>34</sup> Note that a transmission report generated by the sender's fax machine to show that a fax transmission to the MAO was successful is not an acknowledgement that the transmission has been released to the market for the purposes of Listing Rule 15.7. A listed entity sending an announcement to ASX by fax for release to the market must wait until it receives the email from ASX referred to in the text accompanying notes 30 - 32 above confirming that the announcement has been released to the market.

<sup>35</sup> Again, should ASX Online become unavailable at that time for the lodgement of PDF announcements or should the entity experience technical difficulties accessing it, they will likely be advised to fax the announcement to ASX using the emergency fax facility mentioned in section 12 above.

<sup>36</sup> One scenario where this could arise is if the entity has been granted a waiver modifying the timetable for a corporate action in Appendix 6A or 7A of the Listing Rules, in which case the validation controls built into the online forms to ensure that entities comply with those timetables may prevent the entity from entering a date that is consistent with the waiver but not consistent with the timetable in question.

lodging a supplementary announcement with further information about the corporate action or change in securities the subject of that form); or

- complete a Microsoft Word version of the relevant form, convert the document to PDF format and lodge the document as a PDF announcement.

Again, the emergency Microsoft Word version of each online form is available from the Login page of ASX Online, or the Forms page once the user is logged in.

## 16. For general 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 on ASX Online at <https://www.asxonline.com/companies/html/help.html>.

# **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

\* 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.

- (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.

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

<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)*

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

*Current: 5 June 2021*

### **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

#### **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.

## **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**