

ABN 14 000 317 251

21 August 2017

Ms Dawn James Adviser, Listings Compliance Australian Securities Exchange Limited 20 Bridge Street Sydney NSW 2000

Dear Ms James,

# CuDeco Limited (the "Company"): ASX Price and Volume Query

I refer to your letter of 21 August 2017 seeking the Company's response to a number of questions in respect of the increase in the price of CDU's securities and the increase in volume of CDU's securities traded today.

The Company responds to each of the questions as follows:

- 1 The Company is not aware of any information concerning it that has not been announced to the market that would explain the recent trading in the securities of the Company.
- 2 Not applicable.
- The Company has no explanation for any price increase or increase in the volume of trading in the securities of the Company.
- The Company confirms that it is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
- The Company confirms that the above responses have been authorised and approved by the Board in accordance with the Company's continuous disclosure policy.

Yours sincerely

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Leni Stanley

Company Secretary



21 August 2017

Ms Leni Stanley Company Secretary CuDeco Limited Suite 11A, Level 11 100 Edward Street Brisbane 4000

By email: leni.stanley@sya.com.au

Dear Ms Stanley

### CuDeco Limited ("CDU"): price and volume query

We note the change in the price of CDU's securities from a low of \$0.40 to an intra-day high of \$0.465 today, 21 August 2017.

We also note an increase in the volume of CDU's securities traded today.

In light of this, ASX asks CDU to respond separately to each of the following questions and requests for information:

- 1. Is CDU aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
- 2. If the answer to question 1 is "yes":
  - a) Is CDU relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?
    - Please note that the recent trading in CDU's securities would suggest to ASX that such information may have ceased to be confidential and therefore CDU may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
  - b) Can an announcement be made immediately?
    - Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
  - c) If an announcement cannot be made immediately, why not and when is it expected that an announcemant will be made?
- 3. If the answer to question 1 is "no", is there any other explanation that CDU may have for the recent trading in its securities?
- 4. Please confirm that CDU is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.



5. Please confirm that CDU's responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of CDU with delegated authority from the board to respond to ASX on disclosure matters.

# When and where to send your response

This request is made under, and in accordance with, Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by not later than 4:00 pm WST on 21 August 2017. If we do not have your response by then, ASX will have no choice but to consider suspending trading in CDU's securities under Listing Rule 17.3.

You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, CDU's obligation is to disclose the information "immediately". This may require the information to be disclosed before the deadline set out in the previous paragraph.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market.

Your response should be sent to me by e-mail at tradinghaltsperth@asx.com.au. It should <u>not</u> be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

# Listing Rules 3.1 and 3.1A

Listing Rule 3.1 requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities. Exceptions to this requirement are set out in Listing Rule 3.1A.

In responding to this letter, you should have regard to CDU's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1* – 3.1B.

It should be noted that CDU's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

#### **Trading halt**

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in CDU's securities under Listing Rule 17.1.

If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.



We may require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted.

You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely

[Sent electronically without signature]

Dawn James Adviser, Listings Compliance

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