

17 November 2023

Lachlan Morley  
Advisor, Listing Compliance  
ASX Limited  
20 Bridge Street  
Sydney NSW 2000

Dear Lachlan,

In response to your letter dated 15 November 2023 (Reference: 84760). Equus Mining Limited provide the following replies to ASX questions 1 to 3.

*Request for Information*

*Under Listing Rule 18.7, we ask that you answer each of the following questions having regard to Listing Rules 3.19A and 3.19B and Guidance Note 22: Director Disclosure of Interests and Transactions in Securities - Obligations of Listed Entities.*

1. *Please explain why the Appendices 3Y were lodged late*

**Company's reply**

Due to an administration oversight Appendix 3Y was lodged late. As soon as the Company noted the oversight the Appendix 3Y was lodged for the Company Directors.

2. *What arrangements does EQE have in place under Listing Rule 3.19B with its directors to ensure that it is able to meet its disclosure obligations under Listing Rule 3.19A?*

**Company's reply**

Directors inform immediately when they transact in the Company's Securities in accordance with the Company's share trading policy and in any event within 5 days from the date that the transaction has taking place. It is noted that in this instance the movement in the Directors holdings was due to unlisted options expiring and not exercised and not the directors transacting directly in the Company's securities.

3. *If the current arrangements are inadequate or not being enforced, what additional steps does EQE intend to take to ensure compliance with Listing Rule 3.19B?*

**Company's reply**

The Company has adequate arrangements with the directors and there is no need for additional steps to take to ensure compliance with Listing Rule 3.19B

This reply has been approved by the Managing Director Mr. John Braham.

Yours Faithfully



Marcelo Mora  
Company Secretary  
pjn11948



15 November 2023

Reference: 84760

Mr Marcelo Mora  
Company Secretary  
Equus Mining Limited  
Level 2 66 Hunter Street  
SYDNEY NSW 2000

By email

Dear Mr Mora

### **Equus Mining Limited ('EQE'): Appendix 3Y – Change of Director's Interest Notice Query**

ASX refers to the following:

1. EQE's Appendices 3Y lodged on the ASX Market Announcements Platform ('MAP') on 14 November 2023 (the 'Notice').
2. Listing Rule 3.19A which requires an entity to tell ASX the following:

...

**3.19A.2** *A change to a notifiable interest of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) including whether the change occurred during a closed period where prior written clearance was required and, if so, whether prior written clearance was provided. The entity must complete Appendix 3Y and give it to ASX no more than 5 business days after the change occurs.*

...

3. Listing rule 3.19B which states that:

*'An entity must make such arrangements as are necessary with a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) to ensure that the director discloses to the entity all the information required by the entity to give ASX completed Appendices 3X, 3Y and 3Z within the time period allowed by listing rule 3.19.A. The entity must enforce the arrangements with the director.'*

The Notice indicates that a change in Messrs Braham, Coupland, Lichtenberg and Koerbe's notifiable interests occurred on 19 September 2023. It appears that the Notice should have been lodged with the ASX by 26 September 2023. Consequently, EQE may have breached Listing Rules 3.19A and/or 3.19B. It also appears that one or more of Messrs Braham, Coupland, Lichtenberg and Koerbe may have breached section 205G of the *Corporations Act 2001* (Cth).

### **Request for Information**

Under Listing Rule 18.7, we ask that you answer each of the following questions having regard to Listing Rules 3.19A and 3.19B and *Guidance Note 22: Director Disclosure of Interests and Transactions in Securities - Obligations of Listed Entities*.

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1. Please explain why the Appendices 3Y were lodged late.
  2. What arrangements does EQE have in place under Listing Rule 3.19B with its directors to ensure that it is able to meet its disclosure obligations under Listing Rule 3.19A?
  3. If the current arrangements are inadequate or not being enforced, what additional steps does EQE intend to take to ensure compliance with Listing Rule 3.19B?

#### **When and where to send your response**

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **9:00 AM AEDT on Monday, 20 November 2023**.

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, EQE's obligation is to disclose the information 'immediately'.

Your response should be sent to me by e-mail at [ListingsComplianceSydney@asx.com.au](mailto:ListingsComplianceSydney@asx.com.au). It should not 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**

In responding to this letter, you should have regard to EQE'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 EQE'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.

#### **Release of correspondence between ASX and entity**

ASX reserves the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

#### **Questions**

If you have any questions in relation to the above, please do not hesitate to contact me.

Kind regards

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**Lachlan Morley**  
Adviser, Listings Compliance