



8 September 2016

Ms Frieda Orr  
ASX Compliance Pty Ltd  
Adviser, Listings Compliance (Perth)  
Level 40, Central Park  
152 – 158 St George's Terrace  
Perth WA 6000

Dear Frieda

**Fastbrick Robotics Limited ("Entity", "Fastbrick" or "Company")  
Response to ASX Aware Letter**

We refer to ASX's "aware" letter dated 6 September 2016 and respond to the questions in that letter as follows:

- 1. Does the Entity consider the information disclosed in the Announcement, or any part thereof, to be information that a reasonable person would expect to have a material effect on the price or value of its securities?**

No.

- 2. Please advise the basis for the views outlined in response to Question 1.**

As disclosed in the Announcement:

- the non-binding, non-exclusive Framework Agreement sets out the principles on which Fastbrick and Archistruct Building and Design have agreed to pursue a collaboration to use Fastbrick's Hadrian X commercial prototype (once complete) to build the brickwork from slab to cap on 11 residential homes with a minimum floor plan of 180m<sup>2</sup> consisting of at least three bedrooms and two bathrooms; and
- the Framework Agreement is non-binding and non-exclusive, and subject to agreement on the final terms of a formal agreement to document in detail the terms of the collaboration.

Any future transaction is currently incomplete and subject to negotiation.



Given recent media interest in the Company (as detailed in the Company's 6 September 2016 response to ASX's Price Query Letter of 5 September 2016), and for good corporate governance to keep shareholders updated on the progress of the Company's commercialisation strategy previously disclosed to the market, the Company's management and Board considered it prudent to announce the Company's entry into the Framework Agreement with Archistruct (being the Announcement dated 6 September 2016 referred to in ASX's Aware letter of the same date).

**3. When did the Entity first become aware of the information disclosed in the Announcement?**

**3.1. Specifically, when did the Entity finalise the material terms of the Framework Agreement?**

The material terms of the Framework Agreement were finalised at a Fastbrick Board meeting convened to consider and (if thought fit) approve the Company's entry into the Framework Agreement held at 12:45pm (Perth time) on Monday, 5 September 2016 (at which time the Company was in trading halt).

**3.2. Specifically, when did the Entity sign the Framework Agreement?**

Following the Board meeting referred to above, the Company executed the Framework Agreement overnight on Monday, 5 September 2016, prior to market open on Tuesday, 6 September 2016 (when the Announcement was released to the market and the Company came out of trading halt).

**4. If the answer to question 1 is "yes" and the Entity first became aware of the information disclosed in the Announcement before the time of the Price Query Letter, did the Entity make any announcement prior to the relevant date which disclosed the information? If so, please provide details. If not, please explain why this information was not released to the market at an earlier time, commenting specifically on when you believe the Entity was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps the Entity took to ensure that the information was released promptly and without delay.**

Not applicable.



5. **Please confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.**

The Company confirms that it is in compliance with the Listing Rules and, in particular, with Listing Rule 3.1.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Chiappini'.

**Gabriel Chiappini**

Director & Company Secretary

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6 September 2016

Gabriel Chiappini  
Fastbrick Robotics Limited  
23 Laurence Road  
Walliston WA 6076

**By Email**

Dear Mr Chiappini,

**FASTBRICK ROBOTICS LIMITED ("ENTITY"): ASX AWARE LETTER**

ASX Limited ("ASX") refers to the following:

1. The change in the price of the Entity's securities from a close of \$0.062 on Friday, 2 September 2016 to an intraday high of \$0.071 on Monday, 5 September 2016.
2. The increase over that same period in the trading volume of the Entity's securities to a level that is in excess of the average trading volume on days when the Entity's securities are traded.
3. The price query letter sent by ASX to the Entity at 11.36am WST on Monday, 5 September 2016, asking, amongst other things, whether the Entity was aware of any information concerning it that had not been announced to the market which, if known by some in the market, could explain the recent trading in its securities ("Price Query Letter").
4. The Entity's request for a trading halt in its securities lodged with ASX Market Announcements Platform and released at 4.57pm WST on Monday, 5 September 2016 ("Trading Halt Request").
5. The Entity's announcement entitled "Fastbrick signs Framework Agreement with Perth builder for first 11 houses" lodged with ASX Market Announcements Platform and released at 7.54am WST on Tuesday, 6 September 2016, (the "Announcement"), disclosing, amongst other things, the following:
  - 5.1. that the Entity had signed a agreement ("Framework Agreement") with Perth-based builder, Archistruct Builders & Designers, to construct the world's first 3D printed brick homes using the Entity's Hadrian X Commercial Prototype; and
  - 5.2. that the Framework Agreement grants Archistruct Builders & Designers the first construction rights beyond the initial 10 homes, with the 11th home to be charged at standard commercial rates.
- 5.3. The Entity's response to the Price Query Letter ("Price Query Response"), submitted to ASX and lodged with ASX Market Announcements Platform and released in combined form with the Price Query letter

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at 7.53am WST on Tuesday 6 September 2016, which, amongst other things, stated, in response to the following question in the Price Query Letter:

*“Is the Entity 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?”*

the following:

*“Yes. At the time the ASX price query was received, Fastbrick Robotics was in the process of finalising the Framework Agreement with Perth based builder, Archistruct Builders & Designers.”*

6. Listing Rule 3.1, which 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.
7. The definition of “aware” in Chapter 19 of the Listing Rules. This definition states that:

*“an entity becomes aware of information if, and as soon as, an officer of the entity (or, in the case of a trust, an officer of the responsible entity) has, or ought reasonably to have, come into possession of the information in the course of the performance of their duties as an officer of that entity.”*

Additionally, you should refer to section 4.4 in Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B* “When does an entity become aware of information”.

8. Listing Rule 3.1A, which sets out exceptions from the requirement to make immediate disclosure, provided that each of the following are satisfied.

*“3.1A Listing rule 3.1 does not apply to particular information while each of the following requirements is satisfied in relation to the information:*

*3.1A.1 One or more of the following applies:*

- *It would be a breach of a law to disclose the information;*
- *The information concerns an incomplete proposal or negotiation;*
- *The information comprises matters of supposition or is insufficiently definite to warrant disclosure;*
- *The information is generated for the internal management purposes of the entity; or*
- *The information is a trade secret; and*

*3.1A.2 The information is confidential and ASX has not formed the view that the information has ceased to be confidential; and*

*3.1A.3 A reasonable person would not expect the information to be disclosed.”*



9. ASX's policy position on the concept of "confidentiality" which is detailed in section 5.8 of Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B* "Listing Rule 3.1A.2 – the requirement for information to be confidential". In particular, the Guidance Note states that:

*"Whether information has the quality of being confidential is a question of fact, not one of the intention or desire of the listed entity. Accordingly, even though an entity may consider information to be confidential and its disclosure to be a breach of confidence, if it is in fact disclosed by those who know it, then it ceases to be confidential information for the purposes of this rule."*

Having regard to the above, we ask that you answer the following questions in a format suitable for release to the market in accordance with Listing Rule 18.7A:

1. Does the Entity consider the information disclosed in the Announcement, or any part thereof, to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
2. Please advise the basis for the views outlined in response to Question 1.
3. When did the Entity first become aware of the information disclosed in the Announcement?
  - 3.1. Specifically, when did the Entity finalise the material terms of the Framework Agreement?
  - 3.2. Specifically, when did the Entity sign the Framework Agreement?
4. If the answer to question 1 is "yes" and the Entity first became aware of the information disclosed in the Announcement before the time of the Price Query Letter, did the Entity make any announcement prior to the relevant date which disclosed the information? If so, please provide details. If not, please explain why this information was not released to the market at an earlier time, commenting specifically on when you believe the Entity was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps the Entity took to ensure that the information was released promptly and without delay.
5. Please confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

#### **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 **3:00pm WST on Thursday, 8 September 2016**. If we do not have your response by then, ASX will have no choice but to consider suspending trading in the Entity'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, the Entity'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 [frieda.orr@asx.com.au](mailto:frieda.orr@asx.com.au) and [tradinghaltspert@asx.com.au](mailto:tradinghaltspert@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 Rule 3.1**

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.

The obligation of the Entity to disclose information under Listing Rules 3.1 and 3.1A is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

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

### **Trading Halt**

If you are unable to respond to this letter by the time specified above, you should discuss with us whether it is appropriate to request a trading halt in the Entity'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]*

Frieda Orr

**Adviser, Listings Compliance (Perth)**

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