

14 September 2016

Mr Wade Baggott  
ASX Compliance Pty Ltd (**ASX**)  
Level 40, Central Park  
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Perth WA 6000

By email: [Wade.Baggott@asx.com.au](mailto:Wade.Baggott@asx.com.au);  
[tradinghaltspert@asx.com.au](mailto:tradinghaltspert@asx.com.au)

Dear Wade,

**RE: WANGLE TECHNOLOGIES LIMITED ("ENTITY"): RESPONSE TO ASX AWARE QUERY**

In reference to your letter dated 12 September 2016 (**Letter**) and in response to your questions (beginning page 2 of your Letter), please see the following responses:

- 1) As set out in your Letter, the ASX release "All Regulatory Approvals Now In Place For Wangle Launch" dated 12 September 2016 (**Announcement**) disclosed that:
  - "Follows the recent approval of the Data Retention Plan (**DRP**)"; and
  - "Wangle set to launch on or before 15 October 2016".

The Entity did not consider the above information to be information that a reasonable person would expect to have a material effect on the price or value of the Entity's securities, as the information had previously been announced to the market on 23 June 2016 and 24 August 2016, respectively.

The Announcement also disclosed that:

- "Wangle reaches significant commercialisation milestone with the approval of Interception Capability Plan (**ICP**)"; and
- "Approval of the ICP marks Wangle's full compliance with Telecommunications (Interception and Access) Act 1979".

The Entity made the following statements to the market on 3 May 2016 in the ASX release "Wangle Ready for Launch After Satisfying Government Requirements":

*"The Australian Communications Access Coordinator (CAC) has approved Wangle's interception law exemption"; and*

*"The commercial launch of the App is imminent now that we have obtained the necessary approval from the CAC".*

The effect of the Entity obtaining the above exemption was that the Entity could immediately proceed with launch of the App which is a key commercial objective of

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the Entity. As such, the Board of the Entity considered that the formal approval of the ICP (which the Board of the Entity considered simply to be a question of time) and the Entity having therefore satisfied all regulatory requirements (from which it had previously obtained a temporary exemption), was not new information that a reasonable person would expect to have a material effect on the price or value of the Entity's securities.

The Announcement reiterates historical developments of the Entity.

- 2) Please refer to the response to Question 1 above.
- 3) Not Applicable.
- 4) Not Applicable.
- 5) The Entity confirms that it is in compliance with the ASX Listing Rules and, in particular, Listing Rule 3.1.

#### **BY ORDER OF THE BOARD**

For further information, please contact:

Loren Jones  
**Company Secretary**

Wangle Technologies Limited  
Tel: (+61 8) 6489 1600  
[info@wan.gl](mailto:info@wan.gl)



12 September 2016

Ms Loren Jones  
Company Secretary  
Wangle Technologies Limited

*By email: [loren@cicerocorporate.com.au](mailto:loren@cicerocorporate.com.au)*

Dear Ms Jones

**Wangle Technologies Limited (the “Entity”): ASX aware query**

ASX Limited (“ASX”) refers to the following:

1. The change in the price of the Company’s securities from a closing price of \$0.026 on Wednesday, 7 September 2016 to closing price of \$0.033 on Friday, 9 September 2016 and an increase in the volume traded over this period.
2. The Entity’s announcement entitled “All Regulatory Approvals Now In Place For Wangle Launch” lodged with ASX Market Announcements Platform and released at 8:21 am (AEST) Monday, 12 September 2016 (the “Announcement”), disclosing in part the following:
  - *Wangle reaches significant commercialisation milestone with the approval of Interception Capability Plan (ICP).*
  - *Follows the recent approval of the Data Retention Plan (DRP).*
  - *Approval of the ICP marks Wangle’s full compliance with Telecommunications (Interception and Access) Act 1979.*
  - *Wangle set to launch on or before 15 October 2016.*
3. 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.
4. 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.”*

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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”*.

5. 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.”*

5. 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 in the Announcement, or 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. If the answer to question 1 is “no”, please advise the basis for that view.
3. If the answer to question 1 is “yes”, when did the Entity first become aware of the information contained in the Announcement, and in particular, the approval of the Interception Capability Plan?



4. If the answer to question 1 is “yes” and the Entity first became aware of the information in the Announcement before 12 September 2016, did the Entity make any announcement prior to this 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 **3.00 pm AWST on Wednesday, 14 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 [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]*

Wade Baggott  
**Principal Adviser, Listings Compliance (Perth)**

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