

10 JANUARY 2020

Mr George Tharian  
Senior Adviser, Listings Compliance [Sydney]  
Australian Securities Exchange Ltd

**Magnis Energy Technologies Ltd (MNS) : Price and Volume Query**

Magnis Energy Technologies Ltd [the “Company”] refers to your letter dated 10 January 2020 regarding the change in price and volume of MNS securities in recent days. In response to the specific questions contained in your letter, we can advise as follows:

1. The Company is not 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. N/A
3. The Company has noted that some of the leading lithium-ion battery cell manufacturers and potential material suppliers are experiencing significant increases in their share prices. With this in mind, there is a potential positive correlation, given the Company is involved in planned lithium-ion cell manufacturing plants and graphite anode material.

The Company has noted one of Magnis’ directors, Distinguished Professor M. Stanley Whittingham, following his award of the 2019 Nobel Laureate in Chemistry, for his work on lithium-ion batteries, will be appointed to lead an electric vehicle task force for NY State, the announcement was made by NY Governor Andrew Cuomo recently.

4. The Company confirms that, to the best of its knowledge, it is compliance with the ASX Listing Rules, including ASX Listing Rule 3.1.
5. The Company confirms the responses to the questions above have been authorised by the Board of Directors.

Yours Sincerely,



Doug Richardson  
Company Secretary

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10 January 2020

Reference: 12446

Mr Douglas Richardson  
Company Secretary  
Magnis Energy Technologies Ltd  
Level 9  
88 Phillip Street  
Sydney NSW 2000

By email

Dear Mr Richardson

**Magnis Energy Technologies Ltd ('MNS'): Price Query**

We note the change in the price of MNS's securities from a low of \$0.081 on Monday 6 January 2020 to a high of \$0.22 today, Friday 10 January 2020.

We also note the significant increase in the volume of MNS's securities traded.

**Request for Information**

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

1. Is MNS 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?

In responding to this question, please consider in particular whether MNS is aware of any information that its earnings for the 6 month period ending on 31 December 2019:

- (a) are likely to differ materially (downwards or upwards) from any earnings guidance it has given for the period; or
  - (b) if MNS has not given any earnings guidance for the period, are otherwise likely to come as a surprise to the market (by reference to analyst forecasts for the period or, if MNS is not covered by analysts, its earnings for the prior corresponding period)?
2. If the answer to question 1 is "yes".
    - (a) Is MNS relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in MNS's securities would suggest to ASX that such information may have ceased to be confidential and therefore MNS 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 announcement will be made?
  3. If the answer to question 1 is "no", is there any other explanation that MNS may have for the recent trading in its securities?

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4. Please confirm that MNS is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that MNS's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of MNS 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 Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **2:30 PM AEDT today, Friday, 10 January 2020**. If we do not have your response by then, ASX will likely suspend trading in MNS'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, MNS'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 [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**

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 MNS'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 MNS'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 MNS's securities under Listing Rule 17.1. If you wish to request 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*.

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**Suspension**

If you are unable to respond to this letter by the time specified above ASX will likely suspend trading in MNS's securities under Listing Rule 17.3.

**Enquiries**

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

Yours sincerely

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**George Tharian**  
Senior Adviser, Listings Compliance (Sydney)