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Market Announcement

12 August 2026

Australian Securities and Investments Commission
Vivienne Tannock
Senior Executive Leader, Market Infrastructure
Level 5, 100 Market Street
SYDNEY NSW 2000

ASX Market Announcements Office
ASX Limited
Level 27, 39 Martin Place
SYDNEY NSW 2000

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED APPLICATION FOR LEAVE TO COMMENCE A STATUTORY DERIVATIVE ACTION

ASX advises that one of its shareholders, Rosherville Pty Ltd (**Rosherville**), has provided ASX with notice that it proposes to file an application in the Federal Court of Australia. The proposed application is for leave to commence a Statutory Derivative Action under ss 236 and 237 of the *Corporations Act 2001* (Cth) against certain former officers and directors of ASX, whereby Rosherville would commence proceedings on behalf of ASX. Further information about statutory derivative actions can be found on the following page.

Rosherville alleges that the identified former officers and directors breached certain of their directors' duties in connection with the previous CHESS project. There are no allegations against ASX itself.

ASX will keep the market informed of further developments in this matter in accordance with its continuous disclosure obligations.

Release of market announcement authorised by:
Continuous Disclosure Committee

Further enquiries

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Addendum – Further information about statutory derivative actions:

A Statutory Derivative Action is a legal process whereby a shareholder or officer may bring a lawsuit on behalf of a company to seek a remedy for a wrong done to the company itself. To commence a derivative action, the person seeking leave must obtain Court approval under section 237 of the *Corporations Act* by demonstrating each of five requirements, being that the Court is satisfied that:

- it is probable that the company will not itself bring the proceedings, or properly take responsibility for them, or for the steps in them
- the applicant is acting in good faith;
- it is in the best interests of the company that the applicant be granted leave;
- if the applicant is applying for leave to bring proceedings-there is a serious question to be tried; and
- at least 14 days before making the application, the applicant gave written notice to the company of the intention to apply for leave and of the reasons for applying, or it is appropriate to grant leave even though this requirement is not satisfied.

Where any of these requirements is not satisfied, the Court must not grant leave to bring a derivative action.