



# **Register of ASX Settlement Operating Rule Waivers**

**16 to 30 April 2023**

**The purpose of this register is to record when ASX has exercised its discretion and granted a waiver from the ASX Settlement Operating rules. Waivers are published bi-monthly and include information such as :**

- Organisation**
- Rule Number**
- Decision Details**
- Basis for Decision**

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# Register of ASX Settlement Operating Rule Waivers

<b>Rule Number</b>	5.6.1(b)
<b>Date</b>	21/04/2023
<b>ASX Code</b>	YAL
<b>Listed Company</b>	YANCOAL AUSTRALIA LIMITED
<b>Waiver Number</b>	WLC230061-001
<b>Decision</b>	<p>1. Based solely on the information provided, ASX Limited ('ASX') grants Yancoal Australia Limited (the 'Company') a waiver from ASX Settlement Operating Rule 5.6.1(b) to the extent necessary to permit the Company to specify a time for the purpose of determining voting entitlements at a meeting of holders under regulations 7.11.37 and 7.11.38 of the Corporations Regulations 2001 (the 'Regulations') of no more than four business days prior to the meeting, on the following conditions.</p> <p>1.1 The waiver applies in respect of the date of the Company's annual general meetings (each, an 'AGM') provided that YAL separately notifies ASX Listings Compliance ('ASXLC') that it intends to rely on the waiver in relation to an AGM no later than the date when it provides notice of that AGM to shareholders.</p> <p>1.2 If there are any changes to the date of an AGM, the waiver will apply to the revised date, provided the Company:</p> <p>1.2.1 notifies ASXLC of the change to the AGM Date at least two (2) business days prior to the change (the 'Notification'); and</p> <p>1.2.2 ASXLC does not object to the change within a period of one business day from the date it receives the Notification.</p> <p>1.3 The Company issues a market release informing investors that the record date for determining voting entitlements at the relevant AGM will be four (4) business days before the date of the AGM rather than the time period prescribed by ASX Settlement Operating Rules and the Corporations Act 2001 (Cth).</p> <p>1.4 The relief granted by the Australian Securities and Investments Commission on 18 April 2019 in respect of the Regulations remains in place ('ASIC Relief').</p> <p>1.5 The Company provides written notice to ASX of any changes to the Company's listing on the Hong Kong Stock Exchange or to the ASIC Relief that would affect the application of this waiver.</p> <p>2. ASX has considered ASX Settlement Operating Rule 5.6.1(b) only and makes no statement as to the Company's compliance with other ASX Settlement Operating Rules.</p>
<b>Basis For Decision</b>	<p><b>Underlying Policy</b> ASX Settlement Operating Rule 5.6.1(b) provides that a record date for determining voting entitlements at a meeting of holders must not be more than 48 hours before a meeting of holders under Regulations 7.11.37 and 7.11.38 of the Corporations Regulations.</p> <p><b>Present Application</b> The Company is dual primary listed on ASX and the Hong Kong Stock Exchange ('HKSE'). As an entity listed on the HKSE, the Company is required to comply with the Hong Kong Securities Clearing Company ('HKSCC') rules. Under those rules, if the Company elects to include a record date for a meeting, the HKSCC rules requires the record date to be at least 4 business days before the meeting, and for the deadline for the submission of the proxy appointment form to be after the record date. This is to allow sufficient time for HKSCC to obtain voting instructions from the participants, collate the voting instructions,</p>

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and submit the proxy appointment form(s) to the Company by the Company's set deadline. The Company is therefore unable to comply with the requirements of both exchanges. ASX will grant a waiver of ASX Operating Rule 5.6.1(b) for any annual general meeting ('AGM') on condition the Company releases an announcement to the market that the record date for determining voting entitlements at an AGM will be 4 business days before the date of the AGM, for as long as the ASIC Relief remains in place and the Company provides notice to ASX of its intention to rely on the waiver before each AGM and of any changes to the Company's listing on the HKSE or to the ASIC Relief that would affect the application of this waiver. If there is any change in the date of an AGM, the Company is to notify ASX of this change.

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# Register of ASX Settlement Operating Rule Waivers

<b>Rule Number</b>	13.9.4
<b>Date</b>	19/04/2023
<b>ASX Code</b>	SZL
<b>Listed Company</b>	SEZZLE INC.
<b>Waiver Number</b>	WLC230059-001
<b>Decision</b>	<p>1. Based solely on the information provided, ASX Limited ('ASX') grants Sezzle, Inc. (the 'Company') a waiver from ASX Settlement Operating Rule 13.9.4 on the following conditions:</p> <p>1.1 The waiver only applies in respect of the period set out below (the 'Relevant Period'):</p> <p>1.1.1 from close of business Thursday, 27 April 2023 and ending on the commencement of business on Wednesday, 3 May 2023.</p> <p>1.2 In relation to the above Relevant Period, if there are any changes to such period, the waiver will apply to the revised period, provided that the Company:</p> <p>1.2.1 notifies ASX Settlement ('ASXS') of the change to the period at least two (2) business days prior to the change (the 'Notification'); and</p> <p>1.2.2 ASXS does not object to the change within a period of one (1) business day from the date it receives the Notification.</p> <p>1.3 The Company issues a market release informing investors that no conversions (transmutations) will be processed during the Relevant Period.</p> <p>2. ASX has considered ASX Settlement Operating Rule 13.9.4 only and makes no statement as to the Company's compliance with other settlement operating and listing rules.</p>
<b>Basis For Decision</b>	<p><b>Underlying Policy</b> ASX Settlement Operating Rule 13.9.4 requires an Issuer that receives a Valid Message under Rule 13.9.3(b) to generate a Trustee Transfer Form in accordance with the Procedures and register that Transfer in the Principal Register, within the Scheduled Time. The Scheduled Time contained in Appendix 1 is within 12 business hours of ASXS transmitting the Message.</p> <p><b>Present Application</b> As the Company intends to carry out a reverse split, a waiver is necessary to ensure that no cross-border conversions will be processed by the Australian or US share registers during the Relevant Period. Granting the waiver will prevent shareholders from commencing trading on the basis of an inaccurate number of securities due to the difference in time zones between Australia and the United States.</p>

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# Register of ASX Settlement Operating Rule Waivers

<b>Rule Number</b>	13.9.9
<b>Date</b>	19/04/2023
<b>ASX Code</b>	SZL
<b>Listed Company</b>	SEZZLE INC.
<b>Waiver Number</b>	WLC230059-002
<b>Decision</b>	<p>1. Based solely on the information provided, ASX Limited ('ASX') grants Sezzle, Inc. (the 'Company') a waiver from ASX Settlement Operating Rule 13.9.9 on the following conditions:</p> <p>1.1 The waiver only applies in respect of the period set out below (the 'Relevant Period'):</p> <p>1.1.1 from close of business Thursday, 27 April 2023 and ending on the commencement of business on Wednesday, 3 May 2023.</p> <p>1.2 In relation to the above Relevant Period, if there are any changes to such period, the waiver will apply to the revised period, provided that the Company:</p> <p>1.2.1 notifies ASX Settlement ('ASXS') of the change to the period at least two (2) business days prior to the change (the 'Notification'); and</p> <p>1.2.2 ASXS does not object to the change within a period of one (1) business day from the date it receives the Notification.</p> <p>1.3 The Company issues a market release informing investors that no conversions (transmutations) will be processed during the Relevant Period.</p> <p>2. ASX has considered ASX Settlement Operating Rules 13.9.9 only and makes no statement as to the Company's compliance with other settlement operating and listing rules.</p>
<b>Basis For Decision</b>	<p><b>Underlying Policy</b> ASX Settlement Operating Rule 13.9.9 requires an Issuer that receives a Valid Message under Rule 13.9.8 and properly completed transfer documentation to transmit a Message to ASXS to transfer the Financial Products, enter the Transfer in the Principal Register and in certain circumstances verify the Registration Details, within the Scheduled Time. The Scheduled Time contained in Appendix 1 is within 12 business hours of ASXS queuing the Transfer or of the Issuer receiving the documentation, whichever is the later.</p> <p><b>Present Application</b> As the Company intends to carry out a reverse split, a waiver is necessary to ensure that no cross-border conversions will be processed by the Australian or US share registers during the Relevant Period. Granting the waiver will prevent shareholders from commencing trading on the basis of an inaccurate number of securities due to the difference in time zones between Australia and the United States.</p>

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