



21 February 2018

Christopher Dobbs  
Adviser, Listings Compliance  
ASX Compliance Pty Limited  
20 Bridge Street  
Sydney NSW 2000

E: [chris.dobbs@asx.com.au](mailto:chris.dobbs@asx.com.au)

Dear Mr Dobbs,

**Pacific American Coal Limited ("PAK"): price query – your letter dated 20 February 2018**

In response to your letter dated 20 February 2018, PAK responds separately to each of the following questions and requests for information:

1. Is PAK 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?

**No**

2. If the answer to question 1 is "yes":

- a) Is PAK relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?

Please note that the recent trading in PAK's securities would suggest to ASX that such information may have ceased to be confidential and therefore PAK 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.

**Not applicable**

- 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).

**Not applicable**

- c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?

**Not applicable**

3. If the answer to question 1 is "no", is there any other explanation that PAK may have for the recent trading in its

securities?

On 19 February 2018, Mr Warwick Grigor a PAK substantial shareholder lodged an ASIC Form 604 "Notice of change of interests of substantial holder". Mr Grigor reported an increase in PAK shareholding voting power from 10.66% (20 February 2017) to 12.32% (19 February 2018).

4. Please confirm that PAK is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

**PAK is in compliance with the Listing Rules, including Listing Rule 3.1.**

5. Please confirm that PAK's responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of PAK with delegated authority from the board to respond to ASX on disclosure matters.

**PAK's responses to the questions above have been authorised and approved by an officer of PAK with delegated authority from the board to respond to ASX on disclosure matters.**

Yours sincerely,



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Ian Morgan  
Company Secretary





20 February 2018

Mr Ian Morgan  
Company Secretary  
Pacific American Coal Limited  
Suite 1002, Level 10  
171 Clarence Street Sydney NSW 2000

By email: [ihm@bigpond.net.au](mailto:ihm@bigpond.net.au)

Dear Mr Morgan,

**Pacific American Coal Limited (“PAK”): price query**

We note the change in the price of PAK’s securities from the close of trading yesterday of \$0.31 to a high of \$0.041 today.

We also note the significant increase in the volume of PAK’s securities traded in the past few days.

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

1. Is PAK 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. If the answer to question 1 is “yes”:
  - a) Is PAK relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?

Please note that the recent trading in PAK’s securities would suggest to ASX that such information may have ceased to be confidential and therefore PAK 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 PAK may have for the recent trading in its securities?
4. Please confirm that PAK is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

5. Please confirm that PAK's responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of PAK 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, 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 half an hour before the start of trading (ie before 9.30 am AEDT) on **Wednesday, 21 February 2018**. If we do not have your response by then, ASX will have no choice but to consider suspending trading in PAK'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, PAK'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 [chris.dobbs@asx.com.au](mailto:chris.dobbs@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 PAK'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 PAK'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 PAK'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]*

Christopher Dobbs  
Adviser, Listings Compliance  
P: (02) 92270488  
E: [chris.dobbs@asx.com.au](mailto:chris.dobbs@asx.com.au)