

17 January 2025



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Dear Lewis

### **APPENDIX 3Y**

The purpose of this letter is to respond to the queries raised by the ASX in your email of Wednesday, 15 January 2025.

In response to your queries Nico Resources Limited ("Nico" or "NC1") responds as follows:

1. *Why was the 3Y lodged late –*

The share trading occurred on 30 December 2024 during the Christmas/New Year period, when most of the Nico team, including the Director were on leave. The Company contacted the Director who was at the time out of phone range, and as soon as he was able to send the information required to complete the 3Y it was attended to and the 3Y lodged.

2. *What arrangements does NC1 have in place under Listing Rule 3.19B with its directors to ensure that it is able to meet its disclosure obligations under Listing Rule 3.19A -*

The Company's Security Trading Policy requires Directors to provide details of changes in Nico securities they hold (directly or indirectly) to the Company Secretary as soon as reasonably possible after any change to their relevant interest in Nico securities to enable Nico to comply with its obligations under the ASX Listing Rules. In addition, Nico's registry management system tracks all movements in Securities including Director's holdings. All movements are reported daily resulting in an alert to the Company Secretary who on behalf of the Company enforces compliance with Listing Rule 3.19A.2 by ensuring the lodgement of an Appendix.

The Company has an excellent track record with compliance with the listing rules. A dedicated team, led by the Board of Directors, ensures that all disclosure obligations are met.

3. *If the current arrangements are inadequate or not being enforced, what additional steps does NC1 intend to take to ensure compliance with Listing Rule 3.19B –*

The Company considers the late lodgement to be an isolated incident and believes that it has adequate resources to ensure compliance with Listing Rule 3.19B.

**Nico Resources Limited**  
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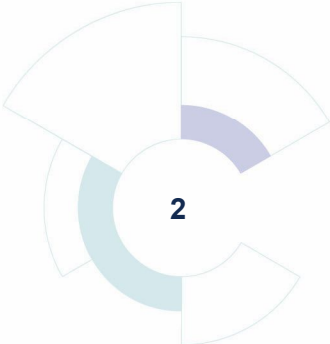
This response has been approved and authorised by the Board of Nico Resources Limited.

Yours faithfully



**Company Secretary**

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15 January 2025

Reference: ODIN105236

Ms Amanda Burgess  
Company Secretary  
NiCo Resources Limited

By email: amanda.burgess@nicoresources.com.au

Dear Ms Burgess

**NiCo Resources Limited ('NC1'): Appendix 3Y – Change of Director's Interest Notice Query**

ASX refers to the following:

1. NC1's Appendix 3Y lodged on the ASX Market Announcements Platform ('MAP') on 10 January 2025 for Mr Rod Corps (the 'Notice').

2. Listing Rule 3.19A which requires an entity to tell ASX the following:

3.19A.1 *'The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the following times.*

- *On the date that the entity is admitted to the official list.*
- *On the date that a director is appointed.*

*The entity must complete Appendix 3X and give it to ASX no more than 5 business days after the entity's admission or a director's appointment.*

3.19A.2 *A change to a notifiable interest of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) including whether the change occurred during a closed period where prior written clearance was required and, if so, whether prior written clearance was provided. The entity must complete Appendix 3Y and give it to ASX no more than 5 business days after the change occurs.*

3.19A.3 *The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the date that the director ceases to be a director. The entity must complete Appendix 3Z and give it to ASX no more than 5 business days after the director ceases to be a director.'*

3. Listing rule 3.19B which states that:

*'An entity must make such arrangements as are necessary with a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) to ensure that the director discloses to the entity all the information required by the entity to give ASX completed Appendices 3X, 3Y and 3Z within the time period allowed by listing rule 3.19.A. The entity must enforce the arrangements with the director.'*

The Notice indicates that a change in Mr Corps' notifiable interest occurred on 30 December 2024. It appears that the Notice should have been lodged with ASX by 7 January 2025. Consequently, NC1 may have breached Listing Rules 3.19A and/or 3.19B.

**Request for Information**

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Under Listing Rule 18.7, we ask that you answer each of the following questions having regard to Listing Rules 3.19A and 3.19B and *Guidance Note 22: Director Disclosure of Interests and Transactions in Securities - Obligations of Listed Entities*.

1. Please explain why the Appendix 3Y was lodged late.
2. What arrangements does NC1 have in place under Listing Rule 3.19B with its directors to ensure that it is able to meet its disclosure obligations under Listing Rule 3.19A?
3. If the current arrangements are inadequate or not being enforced, what additional steps does NC1 intend to take to ensure compliance with Listing Rule 3.19B?

#### **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 **12 PM AWST Monday, 20 January 2025**. 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, NC1'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 and may require NC1 to request a trading halt immediately.

Your response should be sent to me by e-mail at [ListingsCompliancePerth@asx.com.au](mailto:ListingsCompliancePerth@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.

#### **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 NC1'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 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*.

#### **Suspension**

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in NC1's securities under Listing Rule 17.3.

#### **Listing Rules 3.1 and 3.1A**

In responding to this letter, you should have regard to NC1'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 NC1's obligation

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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.

**Release of correspondence between ASX and entity**

ASX reserves the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

Yours sincerely

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ASX Compliance