

## ASX ANNOUNCEMENT

23 December 2021

### **Response to ASX query letter dated 22 December 2021 on the late lodgement of the Chairman's Appendix 3X**

**EZZ Life Science Holdings Limited (ASX: EZZ) (Company)** refers to ASX's query letter dated 22 December 2021, and the Appendix 3X lodged with the ASX on 17 December 2021.

The Company advises that:

1. The delay in lodgement of the Appendix 3X notice was due to an internal administrative oversight of which Mr Cross was not aware and which is not attributable to him. Upon being identified by the Company, the notice was immediately lodged.
2. The Company and its directors are aware of their obligations under ASX Listing Rule 3.19A. Each director is made aware of this obligation pursuant to their terms of appointment, which includes a requirement that a director disclose to the Company all information required by the Company to give ASX completed Appendices 3X, 3Y and 3Z within the time period allowed by the Listing Rule 3.19A.
3. The Company's existing arrangements are considered adequate and the Company intends to undertake further training and require confirmation from directors that they are aware of their obligations. The Company is mindful of its disclosure obligations under ASX Listing Rule 3.19A.1.

Your sincerely

Natalie Climo  
Company Secretary

Authorised for lodgement by Natalie Climo, Company Secretary.

-Ends-



22 December 2021

Reference: 44651

Ms Natalie Climo  
Company Secretary  
EZZ Life Science Holdings Limited  
104 Derby Street  
Silverwater NSW 2128

By email: natalie.climo@boardroomlimited.com.au

Dear Ms Climo

**EZZ Life Science Holdings Limited ('EZZ'): Appendix 3X – Initial Director's Interest Notice Query**

ASX Limited ('ASX') refers to the following:

- A. The appointment of Mr Glenn Cross as Chair and Non-Executive Director of EZZ on 1 December 2021.<sup>1</sup>
- B. The Appendix 3X lodged by EZZ on the ASX market announcements platform on 17 December 2021 for Mr Cross ('Appendix 3X').
- C. Listing Rule 3.19A which requires an entity to tell ASX the following:

*'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.'*

- D. 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.'*

As Mr Cross was appointed as a director on 1 December 2021, it appears that the Appendix 3X should have been lodged with ASX by 8 December 2021. As the Appendix 3X was lodged on 17 December 2021, it appears that EZZ may have breached Listing Rules 3.19A and/or 3.19B.

**Questions and Request for Information**

Under Listing Rule 18.7, ASX asks EZZ to 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*.

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<sup>1</sup> See announcement at [https://cdn-api.markitdigital.com/apiman-gateway/ASX/asx-research/1.0/file/2924-02460558-2A1342692?access\\_token=83ff96335c2d45a094df02a206a39ff4](https://cdn-api.markitdigital.com/apiman-gateway/ASX/asx-research/1.0/file/2924-02460558-2A1342692?access_token=83ff96335c2d45a094df02a206a39ff4)

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1. Please explain why the Appendix 3X was lodged late.
2. What arrangements does EZZ 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 EZZ 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 **2.00pm AEDT on Friday, 24 December 2021**.

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**

In responding to this letter, you should have regard to EZZ'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 EZZ'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.

**Questions**

If you have any questions in relation to the above, please contact me.

Yours sincerely,

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**Alice Montefiore-King**  
Adviser, Listings Compliance (Sydney)