



# Haoma Mining NL

A.B.N 12 008 676 177

**Registered Office & Head Office:**

Tonic House, 386 Flinders Lane, Melbourne, Vic., 3000, GPO Box 2282U, Melbourne, Vic., 3001.

Telephone (03) 9629 6888, Facsimile (03) 9629 1250

Email: [haoma@roymorgan.com](mailto:haoma@roymorgan.com) Website: [www.haoma.com.au](http://www.haoma.com.au)

February 2, 2018

To Haoma Shareholders

## **ASX Ltd improper and unlawful conduct against Haoma Mining NL**

Haoma Mining regrets to advise that the Australian Securities Exchange (ASX) has today notified Haoma Mining NL that it will be removed from its official list.

Since shares in Haoma Mining were suspended on October 18, 2017 Haoma has attempted to work with the ASX to resolve our differences. ASX has decided not to continue that process.

Haoma will now pursue other options to facilitate a market for trading of Haoma shares.

Following is a full transcript of correspondence with the ASX that has resulted in this unfortunate outcome.

The General Meeting of shareholders scheduled for February 28, 2018 will proceed however the proposed resolution to approve an application for removal from the ASX Official List will be withdrawn.

Yours sincerely,

**Gary Morgan**  
CHAIRMAN

**From:** [Daniel.Moran@asx.com.au](mailto:Daniel.Moran@asx.com.au)  
**Sent:** 2 February 2018 4:35 PM  
**To:** [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)  
**Cc:** [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au); [rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au); [Dominic.Stevens@asx.com.au](mailto:Dominic.Stevens@asx.com.au)  
**Subject:** Haoma Mining NL

Dear Mr Morgan

I refer to your email below to Rick Holliday-Smith at 3.39pm today.

ASX's position on this matter is clear.

- After considerable prior correspondence, ASX's Chief Compliance Officer Kevin Lewis advised Haoma by letter on 20 November 2017 that it was required to rectify the listing rule breaches identified in that letter by 31 January 2018, or it would be delisted.
- By email to you at 7.17am on 31 January 2017, Mr Lewis offered Haoma an extension of time for that delisting until 28 February 2018, on condition that it gave an undertaking with respect to the production of JORC-compliant replacement documents. Haoma did not give that undertaking.
- It was apparent from your email to Mr Lewis at 2.58pm yesterday and the attached documents, that Haoma was not in a position to produce JORC-compliant replacement documents in a timely manner. That email and those documents also made it clear that Haoma's competent person, Mr Furnell, who was purportedly signing off on the announcements, had a different view to Haoma on aspects of the announcements.
- As a consequence, Mr Lewis advised by email to you at 8.01pm yesterday, that the only way forward was for Haoma to undertake to retract the non-compliant announcements and otherwise to comply with its listing rules obligations. Haoma was given until 5.00pm today to provide that undertaking. It has not yet done so.
- I confirm that ASX's position remains, that unless Haoma provides the undertaking in the terms expressed in Mr Lewis's email to you at 8.01pm yesterday, by 5.00pm today, ASX **will remove HAO from the official list forthwith** in accordance with Listing Rule 17.12 and publish to the market in due course its reasons for doing so.

Yours sincerely,

**Daniel Moran** | Group General Counsel and Company Secretary  
ASX Limited | 20 Bridge Street | Sydney NSW 2000  
t: [+61 2 9227 0162](tel:+61292270162) | m: [0448 426 987](tel:0448426987) | e: [daniel.moran@asx.com.au](mailto:daniel.moran@asx.com.au)  
w: [www.asx.com.au](http://www.asx.com.au)

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Friday, 2 February 2018 3:39 PM

**To:** Rick Holliday-Smith <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; 'Dominic Stevens ([Dominic.Stevens@asx.com.au](mailto:Dominic.Stevens@asx.com.au))' <[Dominic.Stevens@asx.com.au](mailto:Dominic.Stevens@asx.com.au)>; 'owen.rayner@asic.gov.au' <[owen.rayner@asic.gov.au](mailto:owen.rayner@asic.gov.au)>

**Cc:** Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Hugh Morgan <[hm@firstchar.com](mailto:hm@firstchar.com)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; 'Sellars-Jones, Graham <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> (<[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>)' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>

**Subject:** RE: ASX Ltd improper and unlawful conduct against Haoma Mining NL

Mr Rick Holliday-Smith  
ASX Ltd  
20 Bridge Street  
Sydney NSW 2000

Cc Dominic Stevens, ASX, CEO & Managing Director  
Owen Rayner, ASIC

Dear Mr Holliday-Smith

The issue in dispute between our organisations is one of compliance with ASX Listing Rules in relation to the form of market announcements, and not the facts contained therein ie Haoma Mining had made a significant gold discovery – good for Haoma shareholders, good for Australia:

*“On **October 16, 2017** Haoma announced that bulk sampling under the supervision of **Mr. Peter Cole** (See Appendix 1 for qualifications) at **Just-in-Time** and **Tassie Queen** had recovered ‘**flat – watermelon seed-like**’ nuggets from conglomerates near the Comet Mine. The recovered ‘**flat – watermelon seed-like**’ gold nuggets were nearly 100% pure gold. Prof. **Peter Scales** (See Appendix 1 for qualifications) supervised the use of microprobe and other specialised techniques to measure the gold percentage in nuggets recovered, see Appendix 2 – [Haoma October 31, 2017 – Activities Report for the Quarter Ended September 30, 2017.](#) The nuggets were similar to nugget discoveries by Novo Resources (TSX-V: NVO) and Artemis Resources (ASX: ARV) at ‘Comet Well’ and ‘Purdy’s Reward’, and by De Grey Mining (ASX: DEG) at ‘Louden’s Patch’ – **120 km from Purdy’s Reward & a further 200 km from Haoma’s discovery at the Comet Mine.**”*

The ASX has not, at any time, suggested that Haoma’s information about the activities of the company and its discovery of unique **‘flat – watermelon seed-like’ gold nuggets nearly 100% pure** in October 2017 is incorrect or untrue.

ASX is clearly not qualified to comment on the correctness, adequacy or otherwise of the material contained in those announcements. ASX can do no more than determine whether the content of Haoma’s announcements is in the form required by the ASX Listing Rules, and contains all of the content required by the ASX Listing Rules.

Clearly, the ASX may require Haoma to excise non-compliant parts of its announcements.

**But it is most improper and illegal for the ASX, under threat of delisting Haoma, to require Haoma to give an undertaking that Haoma will advise shareholders and investors who have read Haoma's announcements and the 2017 Haoma Annual Report to disregard them *in toto*. The ASX is knowingly and deliberately coercing Haoma to engage in misleading and deceptive conduct; to rewrite history in a fictional way.**

Given that the requested undertaking clearly exceeds the reach of the ASX's legal authority, and what is sensible and reasonable, the ASX will delist Haoma today at its peril.

If your organisation was not so arrogant, you would extend the deadline to February 28 as you initially offered, and work with us to reach a resolution.

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

**From:** Rick Holliday-Smith [<mailto:rick.holliday-smith@asx.com.au>]  
**Sent:** Friday, 2 February 2018 2:14 PM  
**To:** Gary Morgan  
**Cc:** Dominic Stevens; Kevin Lewis; Daniel Moran; Rick Holliday-Smith (External)  
**Subject:** Haoma Mining NL

Dear Mr Morgan

I have just landed in the country and received your email.

While travelling I have been following the events and issues related to this matter, in fact I have been following the matter for most of its unfortunate journey.

I can confirm that I, and ASX's CEO and General Counsel, have been kept informed of, and support, the actions taken to date by Kevin Lewis.

As you acknowledge, this issue dates back to October 2017. ASX has given Haoma a number of opportunities, guidance and a clear timeline to bring itself into compliance with its listing rule obligations.

As the matter stands, Haoma can still avoid its delisting by providing the requested undertaking to ASX by 5pm today. I encourage Haoma to do so.

I am comfortable that the actions taken by ASX to date are reasonable and consistent with our obligations as a market operator. I am supported in this by ASX's General Counsel, Daniel Moran.

I note your comments about further legal action that Haoma may take. That is a matter for Haoma.

However, in view of those comments, I have asked our General Counsel, Mr Moran, to involve himself directly in this matter together with Mr Lewis.

You can now direct any further correspondence to them.

Yours Faithfully  
Rick Holliday-Smith  
Chairman  
ASX Limited

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Mr Rick Holliday-Smith  
ASX Ltd  
20 Bridge Street  
Sydney NSW 2000

Cc Dominic Stevens, ASX, CEO & Managing Director  
Owen Rayner, ASIC

Dear Mr Holliday-Smith

**Re: ASX Ltd improper and unlawful conduct against Haoma Mining NL**

The correspondence received from Mr Lewis at 8.01pm yesterday evening is improper and unlawful, and we demand that it be withdrawn immediately, and Mr Lewis be directed to have no further involvement in this matter.

Mr Lewis personally, and the ASX generally, is obliged to deal with facts, and act within the law, and not engage in a self-interested, subjective and selective summary or interpretation of Haoma's actions or motives (see Mr Lewis's cynical summary and demands below).

Haoma acknowledges it has been in dispute with the ASX since October 2017, but at all times has used its best endeavours (notwithstanding Mr Lewis's continual assertions to the contrary), to meet the ASX's requirements to correct non-compliance. Nevertheless, Mr Lewis seeks to punish Haoma for having the audacity to challenge his understanding of its obligations, and question his authority.

On January 31, 2018, Haoma **repeated** in writing its unequivocal commitment that it intends to, and will, continue to work in good faith with ASX to achieving an outcome that will bring HAO fully into compliance with the listing rules and the JORC Code, and sent [Haoma's December 2017 Quarterly Activity Report](#) to Mr Lewis.

Haoma believed its [December 2017 Quarterly Activity Report](#) to be compliant with both ASX Listing Rules and the JORC Code, and requested that in the event that the ASX **did not agree** that the contents of [Haoma's December 2017 Quarterly Activity Report](#) presented the 'formerly noncompliant' information in a manner that satisfies the ASX Rules and JORC Code, that the ASX provide **constructive advice** as to how [Haoma's December 2017 Quarterly Activities Report](#) can be made compliant in its own right and as an acceptable market update.

On behalf of the ASX, Mr Lewis failed or refused to do this in every respect.

Instead Mr Lewis persisted with his pursuit of pointless undertakings directly inconsistent with our respective organisations mutually expressed objective of bringing Haoma back to compliance.

With the disclosure of further information by Haoma to Mr Lewis at 2.58pm yesterday, made in good faith and for the purpose of explaining Haoma's position in relation to its competent person certification in [Haoma's December 2017 Quarterly Activity Report](#), Mr Lewis again offered no constructive advice, but five hours later imposed a new deadline of less than 24 hours in which the ASX would delist Haoma unless even more expansive and extraordinary undertakings are given.

Unless Haoma is removed from the official list today as threatened, Haoma will continue in its efforts to bring its announcements into compliance with ASX Listing Rules, but Haoma will not, and will not be directed by the ASX to, under threat of delisting, “*advise investors who have read [Haoma’s noncompliant but nevertheless true and factual announcements] to disregard them*”.

Such a threat is well outside Mr Lewis’s and the ASX’s competence and authority, and is nothing less than extortion (in relation to which we will take such action as is necessary, if necessary).

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Thursday, 1 February 2018 8:01 PM

**To:** Gary Morgan

**Cc:** Michele Levine; Tim Ingram; Jim Wallace; James Yeatman; 'owen.rayner@asic.gov.au'; Peter Cole; Peter Scales (Melb Uni); Rick Holliday-Smith (External); Dominic Stevens; Daniel Moran; David Barnett; James Gerraty; James Rowe; John Johansson

**Subject:** RE: Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B

Dear Mr Morgan

So, if I can summarise the position, based on your latest email:

1. Yesterday HAO presented to us 8 documents that you stated covered “all concerns the ASX has had with all of Haoma’s ASX releases since October 16, 2017”.
2. HAO was aware from our previous correspondence, including my letter dated 3 November 2017, that one of ASX’s primary concerns was the absence of a ‘competent person’ sign-off on the previous versions of those documents;
3. HAO was also aware from our previous correspondence that Messrs Cole and Scales were not ‘competent persons’ for these purposes.
4. Despite this, HAO incorporated materials in the 8 documents on the basis of their sign-off rather than the sign-off of a competent person.
5. The 8 documents had the appearance of complying with the JORC Code because each document included a statement that Mr Furnell had provided a ‘competent person’ sign-off to that document, although that statement was carefully qualified with words limiting it to information he had provided.
6. It would now appear (based on the attachments to your latest email) that the only document to which Mr Furnell has provided a competent person sign-off is the 30 November report “Haoma mining recovers ‘flat-watermelon see like’ nuggets from conglomerates at the Just in Time Prospect near Marble Bar”.

7. HAO now brings to ASX's attention a draft report from Mr Furnell, its own 'competent person', dated 23 January 2018 that draws different conclusions to the announcements that precede it, including:
- XRF results indicate elevated base metal and PGM but, because these are from a concentrate sample, the results are ambiguous.
  - Further research is required to address the nature and distribution of nuggets within the boulder bed but it is considered likely that the gold has been remobilised and re-concentrated by weathering and other supergene effects, since its primary deposition. This will significantly impact HAO's ongoing investigations and economic evaluation.
  - Some additional check assays need to be run through an external, commercial laboratory to check sample variability with the Bamboo Creek Laboratory. Some fire assays are required to check the aqua regia gold results.
  - Samples of the mineral concentrates derived from the bulk sampling of the conglomerate need to be submitted for mineralogical studies to identify which minerals are responsible for the elevated XRF values.

As to your comments below about Novo and Artemis Resources, I refer you to the statements in my letter dated 3 November 2017:

*You assert in your letter that the information HAO attempted to release in its 16 and 18 October announcements, and is now seeking to release in its Activities Report, is "similar to" that recently published by ARV, DEG and NVO. We assume that you are referencing the announcements by ARV on 23 October (as amended on 2 November), by DEG on 30 October and by NVO on 17 October 2017 (which makes reference to the discovery of gold nuggets announced by NVO on 12 July and 8 August 2017).*

*With respect, the information HAO has attempted to release to the market is not comparable to that released by ARV and DEG. In particular:*

- *ARV's and DEG's announcements included a completed JORC Code Table 1 (sections 1 and 2) and the information required under Listing Rule 5.7 – HAO's attempted announcements do not.*
- *ARV's and DEG's announcements were based on the work of, and signed off by, a 'competent person', as defined in the JORC Code (see below) – it is not apparent from HAO's attempted announcements that HAO has met these requirements.*

*NVO is a Toronto listed entity and subject to a different regulatory regime, and so its situation is not directly comparable to HAO. Nevertheless, NVO did include in its announcement a sign-off from a 'qualified person', the Canadian equivalent of a competent person.*

If ARV, DEG and NVO were able to get competent persons (or their equivalent) to sign off on discoveries that you yourself describe as "similar" to HAO's, ASX cannot see any reason why HAO should not be able to do likewise.

As to your request for ASX to release to the market the 8 documents you sent to ASX yesterday, ASX cannot and will not knowingly release documents to the market that report exploration results that do not comply with the Listing Rules and the JORC Code. The provisions in question are important



substantive disclosure requirements intended to protect investors, and not mere “procedural” requirements. This particular instance demonstrates why that they are important.

Nor will ASX release to the market documents that purport to be signed off by a competent person when it appears that they are not – all the more so when they are inconsistent with the opinions of the competent person.

As you know, HAO is in breach of the 31 January 2018 deadline that ASX set in its 20 November letter for HAO to correct the breaches of the Listing Rules identified in that letter or else face removal from the official list. ASX interprets the statements in your most recent email below as conceding that HAO is not in a position to correct those breaches in a timely manner by the publication of updated announcements that comply fully with the Listing Rules and the JORC Code.

I said in my email yesterday evening that I would write to you once I had your response to that email, setting out how ASX intends to address HAO’s failure to meet ASX’s deadline.

In light of all of the above, ASX requires an unconditional written undertaking from HAO by 5 pm tomorrow as follows:

- 1. HAO will publish as soon as practicable and in any event by no later than 5pm on Tuesday 6 February 2018 an announcement to the market that is acceptable to ASX:**
  - a. setting out the terms of this undertaking;**
  - b. acknowledging that:**
    - **HAO’s announcements dated 16 and 18 October and 13 and 30 November 2017;**
    - **HAO’s September 2017 quarterly activities report;**
    - **the sections of HAO’s 2017 Annual Report and chairman’s address referencing the discovery of gold nuggets near Marble Bar, (together the “non-compliant announcements”) previously published by HAO on its website did not comply with the ASX Listing Rules or the JORC Code;**
  - c. stating that HAO unconditionally withdraws the non-compliant announcements and advises investors who have read them to disregard them; and**
  - d. stating that, in accordance with the Listing Rules, HAO’s shares will remain suspended from trading until its outstanding September and December 2017 quarterly activities report have been released to the market.**
- 2. HAO will not make any further announcements to the market regarding the discovery of gold nuggets on its tenements that do not comply fully with ASX Listing Rules and the JORC Code.**
- 3. HAO will not publish on its website any materials intended for release to the market without first complying with Listing Rule 15.7.**
- 4. HAO will as soon as practicable and in any event by no later than 4pm on Wednesday 28 February 2018 appoint an independent expert acceptable to ASX, to review and recommend changes to HAO’s practices, policies, procedures and resources for complying with its obligations under the ASX Listing Rules and the JORC Code.**
- 5. HAO will announce in due course both: (a) the appointment of the expert; and (b) the results of the expert’s review and the steps HAO intends to implement to give effect to the expert’s recommendations.**

ASX regards undertaking 1 above as the only way now that HAO can rectify its extant breaches of the Listing Rules in a timely way, given what you have revealed in your latest email. Undertakings 2 - 5 obviously go towards avoiding future breaches of the Listing Rules and ASX considers them reasonable and appropriate in the circumstances, given the number and seriousness of HAO's most recent breaches.

If ASX does not receive an unconditional written undertaking in the terms above by 5pm tomorrow Friday 2 February 2018 ASX **will** remove HAO from the official list forthwith in accordance with Listing Rule 17.12 and publish to the market in due course its reasons for doing so. ASX will not extend this deadline and will not engage in any further debate with HAO on the matters set out in your latest email. We have made our position clear on all of those matters on numerous occasions now.

Regards

**Kevin Lewis**

Chief Compliance Officer

T +61 2 9227 0771

M +61 414 593 948

E [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)

*ASX – heart of Australia's financial markets*



20 Bridge Street, Sydney NSW 2000

[www.asx.com.au](http://www.asx.com.au)

Follow ASX  

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Thursday, 1 February 2018 2:58 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>;

'owen.rayner@asic.gov.au' <[owen.rayner@asic.gov.au](mailto:owen.rayner@asic.gov.au)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>; Rick Holliday-Smith (External) <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; Dominic Stevens <[Dominic.Stevens@asx.com.au](mailto:Dominic.Stevens@asx.com.au)>; Daniel Moran <[Daniel.Moran@asx.com.au](mailto:Daniel.Moran@asx.com.au)>; David Barnett

<[David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; James Rowe

<[James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Sellars-Jones, Graham

<[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)) <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>

**Subject:** RE: Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)

Dear Mr Lewis,

We are in receipt of your Wednesday, 31 January 2018 7:13 PM email.

Attached is the January 23, 2018 report we received from Mr Ron Furnell and a signed 'Competent Person Consent Form'.

The attached report shows Mr Ron Furnell as a competent person has reviewed the work done by Haoma.

The opinions (conclusion and recommendations) in Ron Furnell's report are based on 'traditional wisdom' within the Institute of Mining and Metallurgy which is being challenged by reputable scientific analysis and evident in the findings of Haoma and now Novo.

The Directors of Haoma appreciate Mr Ron Furnell's report is by a competent person as to the work that has been done. However Haoma's Directors do not agree with Mr Ron Furnell's conclusion and recommendations. Rather the Directors believe the considered views of Haoma's consultants Mr Peter Cole, Professor Peter Scales and others; and current 'scientific papers' and expert papers such as:

- 1) **Hickman A. H.** (1983) Geology of the Pilbara Block and its Environs, Geological Survey of Western Australia, Bulletin 127.
- 2) **Pretorius D. A.** Gold and Uranium in Quartz-Pebble Conglomerates, Economic Geology, 75<sup>th</sup> Anniversary Volume, 1981, p117-138.
- 3) **Professor Terence McCarthy**, Prof Rubisge · 2005 · Science, states: "Not all conglomerates contain gold: only those that lie on former erosion ... where dense, titanium-rich black minerals have been **concentrated by wave action**."

We appreciate this is a complex situation for the ASX. The ASX 'processes' are clear, but do not take into account the need to keep markets informed of truly innovative findings. Shareholders must be able to form their own opinion.

For instance, the ASX definition of a 'competent person' is as you state under Clause 11 of the JORC Code:

*"a minerals industry professional who is a Member or Fellow of The Australasian Institute of Mining and Metallurgy, or of the Australian Institute of Geoscientists, or of a 'Recognised Professional Organisation' (RPO), as included in a list available on the JORC and ASX websites..."*

***A Competent Person must have a minimum of five years relevant experience in the style of mineralisation or type of deposit under consideration and in the activity which that person is undertaking.***

*If the Competent Person is preparing documentation on Exploration Results, the relevant experience must be in exploration..."*

The ASX 'Competent Person' definition is an expert with 'five years relevant experience' in a specific 'style of mineralisation or type of deposit under consideration' geology. This is clearly not possible in a new field of science or a new type of discovery – there are no 'competent people' strictly speaking according to the JORC Code definition – rather the scientific community is still breaking new ground – using expertise covering a range of disciplines.

The science behind Haoma's (and Novo's) discoveries is conducted by credible experts in their field, able to be repeated and substantiated, leading edge, and privately conducted and funded. It is not in

the public domain, and the JORC qualified 'experts' have no accrued or independent knowledge of it. They cannot possibly be 'Competent Persons' to report on it, even under the JORC Code own requirements for definition as a 'Competent Person'.

Thus Haoma uses Mr. Peter Cole, Professor Peter Scales, Mr. Gary Morgan (statistics and mathematics) – all 'world experts' in their areas of expertise.

Unfortunately many more people than Haoma shareholders have been affected by your (the ASX) giving procedural compliance priority over timely and meaningful disclosure, and the legitimate interests of shareholders and investors.

The implication of 'holding back' information that cannot be fitted perfectly into the 'ASX system' or prevailing industry knowledge, manifests in Novo's Canadian share price which has risen from \$2.61 on January 24 to today \$3.60 – why?

Novo's share price has risen by nearly 40% because people in the 'know' have been made aware that Novo (and presumably Artemis Resources) can now measure gold in the 'fines' around the 'water melon seed like' nuggets from Purdy's Reward samples (like Haoma has stated in the following reports). Yet, so far Novo and Artemis Resources shareholders have NOT been advised – why not?

Please release our reports.

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

### **Haoma's Reports:**

1. October 16, 2017 - Haoma recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar - (updated January 31, 2018 and previous release withdrawn)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/10/Haoma-ASX-re-Pilbara-Conglomerates-Release-updated-January-31-2018-October-16-2017.pdf>

2. October 18, 2017 - Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar (updated January 31, 2018 and previous release withdrawn)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/10/Haoma-ASX-re-Pilbara-Conglomerates-updated-January-31-2018-October-18-2017.pdf>

3. October 31, 2017 - Activities Report for the Quarter Ended September 30, 2017 (updated January 31, 2018 and previous release withdrawn) (See Appendix 2)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/11/Haoma-Mining-ASX-Quarterly-Report-to-September-30-2017-1.pdf>

4. November 2, 2017 – Haoma Mining NL June 30, 2017 Annual Report with Updated Chairman's Review and Report on Operations  
<https://arc-haoma.s3.amazonaws.com/uploads/2017/11/Haoma-Mining-NL-Annual-Report-June-30-2017-updated-Jan-7-2018.pdf>
5. November 13, 2017 - One tonne bulk sample of Comet Mine 'C2' conglomerate produces 2.2g of gold (updated January 31, 2018 and previous release withdrawn)  
<https://arc-haoma.s3.amazonaws.com/uploads/2017/11/Haoma-Release-updated-January-31-2018-November-13-2017.pdf>
6. November 30, 2017 - Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Just inTime Prospect near Marble Bar (updated January 31, 2018 and previous release withdrawn)  
<https://arc-haoma.s3.amazonaws.com/uploads/2017/12/Haoma-ASX-re-Pilbara-Conglomerates-Release-updated-January-31-2018-November-30-2017.pdf>
7. November 30, 2017 - Chairman's Address to 2017 Haoma Mining NL Annual General Meeting including updated exploration reporting information  
<https://arc-haoma.s3.amazonaws.com/uploads/2017/12/Haoma-Chairmans-Address-to-2017-AGM-by-Gary-Morgan-November-30-2017-Including-Haoma-Nov-30-2017-ASX-release-and-Dec-18-changes-suggested-by-ASX.pdf>

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Wednesday, 31 January 2018 7:13 PM

**To:** Gary Morgan

**Cc:** Michele Levine; Tim Ingram; Jim Wallace; James Yeatman; 'owen.rayner@asic.gov.au'; Peter Cole; Peter Scales (Melb Uni); Rick Holliday-Smith (External); Dominic Stevens; Daniel Moran; David Barnett; James Gerraty; James Rowe; John Johansson

**Subject:** RE: Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B

Dear Mr Morgan

Thank you for your further email below.

I note your comment that “many competent people have been involved in preparing the attached documents”. I also note that a number of your latest documents refer to work relevant to the reported exploration results having being undertaken or supervised by Mr Peter Cole or Professor Peter Scales and to those gentlemen being “competent persons”.

Before we provide more detailed comments on the latest documents, there is a threshold issue that we need to address.

As I advised you in my letter dated 2 November 2017, clause 9 of the JORC Code requires a report of exploration results to be based on, and fairly reflect the information and supporting documentation prepared by, a competent person or persons and for the report to be issued with the prior written consent of the competent person or persons as to the form and context in which it appears.

Clause 11 of the JORC Code defines a ‘competent person’ as:

*“a minerals industry professional who is a Member or Fellow of The Australasian Institute of Mining and Metallurgy, or of the Australian Institute of Geoscientists, or of a ‘Recognised Professional Organisation’ (RPO), as included in a list available on the JORC and ASX websites...”*

*A Competent Person must have a minimum of five years relevant experience in the style of mineralisation or type of deposit under consideration and in the activity which that person is undertaking.*

*If the Competent Person is preparing documentation on Exploration Results, the relevant experience must be in exploration...”*

As we understand from our earlier communications, the only ‘competent person’ currently employed by HAO is Mr Ron Furness. While they may be eminently qualified in other respects, Mr Cole and Professor Scales are not ‘competent persons’ within the definition set out above and they therefore cannot provide a ‘competent person’ sign-off under the JORC Code.

It is, of course, open to Mr Furness to provide a ‘competent person’ sign-off not only for his own work but also for work that has been undertaken or supervised by others (including Mr Cole and Professor Scales), provided he has reviewed it and is satisfied with it.

However, the way in which Mr Furness’ ‘competent person’ sign off has been couched in the latest documents appears to limit his sign-off to the specific information he has provided. This means that other information in the latest documents does not have the benefit of his sign-off. As things currently stand, therefore, those documents are not JORC compliant.

Please clarify whether it is intended that Mr Furness’ ‘competent person’ sign off extend to the work stated to have been undertaken or supervised by Mr Cole or Professor Scales in the latest documents. If it is, then this will require a number of amendments to the competent person statements (and other material) in the latest documents. If it is not, then please explain how you think the latest documents satisfy clause 9 of the JORC Code.

Please also forward for our review a copy of the signed consent forms that Mr Furness has given under appendix 2 of the JORC Code for each document he is providing a competent person sign-off.

Finally, I note that some of the information in the latest documents that relates to conglomerate formations is stated to be based on work done by Mr. David Mellor, a former employee of HAO and a member of AusIMM. Those documents include a competent person sign-off by him. This is only necessary if that information is relevant to the explorations results being reported. It is not clear to us that it is. Please explain your reasons for including the competent person sign-off by Mr Mellor.

Once I have your response to the matters above, I will write to you setting out how ASX intends to address HAO’s failure to meet today’s deadline to correct the listing rule breaches identified in my 20 November letter.

Regards

**Kevin Lewis**

Chief Compliance Officer

T +61 2 9227 0771

M +61 414 593 948

E [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)

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20 Bridge Street, Sydney NSW 2000

[www.asx.com.au](http://www.asx.com.au)

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**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Wednesday, 31 January 2018 3:48 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; 'owen.rayner@asic.gov.au' <[owen.rayner@asic.gov.au](mailto:owen.rayner@asic.gov.au)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>; Rick Holliday-Smith (External) <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; Dominic Stevens <[Dominic.Stevens@asx.com.au](mailto:Dominic.Stevens@asx.com.au)>; Daniel Moran <[Daniel.Moran@asx.com.au](mailto:Daniel.Moran@asx.com.au)>; David Barnett <[David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; James Rowe <[James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Subject:** Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

**t:** +61 2 9227 0771 | **m:** +61 414 593 948 | **e:** [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | **f:** +61 2 9227 0440

**w:** [www.asx.com.au](http://www.asx.com.au)

Dear Mr Lewis,

My point “Haoma does not wish to go down the more onerous path of correcting each noncompliant announcement” means we will not be sending additional people specially to Haoma’s Pilbara tenements to review the information we have already sent the ASX and published.

Since October 2017 many competent people have been involved in preparing the attached documents. It is impossible to track all changes when many iterations of the same document(s) are being worked on.

The documents listed in **Appendix 1** in the attached **Haoma ASX Quarterly Report to December 31 2017** have been changed to cover the concerns you have sent Haoma, namely.

1. Listing persons responsible for the information and their qualifications,
2. Adding specific names and locations of exploration sites,
3. Including technical information including JORC requirements regarding exploration and assay results,
4. Clearly and prominently identifying each report as being replacements for previously reports classified by the ASX as non-compliant, and
5. Advising shareholders previous versions of those reports should be disregarded.

It is not feasible to simply pretend the previously published documents do not exist. It is better to acknowledge their existence and make it clear that those documents according to the ASX were incorrect and that new documents replace them.

We suggest that at this point it would be preferable for the ASX to make a 'clean' review of all documents now available to ASX and then advise Haoma of any further changes the ASX believes are needed to bring documents to compliance and reinstate trading in Haoma shares.

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Wednesday, 31 January 2018 2:54 PM

**To:** Gary Morgan

**Cc:** Michele Levine; Tim Ingram; Jim Wallace; James Yeatman; 'owen.rayner@asic.gov.au'; Peter Cole; Peter Scales (Melb Uni); Rick Holliday-Smith (External); Dominic Stevens; Daniel Moran; David Barnett; James Gerraty; James Rowe; John Johansson

**Subject:** RE: Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B

**Importance:** High

Dear Mr Morgan

I find this latest email confusing, to say the least, especially as you have not explained the context for appendix 1, nor have you explained or identified the changes made in the documents referenced in that appendix.

Your email at 7.01 pm yesterday said "Haoma does not wish to go down the more onerous path of correcting each noncompliant announcement". It now seems that HAO does wish to go down that path.

Kindly clarify HAO's intentions and summarise how HAO has amended each of the documents in Appendix 1 by return email.

As I have asked previously, please also ensure that any further amended documents are sent to us in mark-up so that we can readily identify the changes and provide you with a more prompt response.

Regards

**Kevin Lewis**

Chief Compliance Officer

T +61 2 9227 0771

M +61 414 593 948

E [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)

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20 Bridge Street, Sydney NSW 2000

[www.asx.com.au](http://www.asx.com.au)



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**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]  
**Sent:** Wednesday, 31 January 2018 2:20 PM  
**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Rick Holliday-Smith (External) <[rick@holliday-smith.com.au](mailto:rick@holliday-smith.com.au)>  
**Cc:** Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; 'Sellars-Jones, Graham' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au))' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>; 'owen.rayner@asic.gov.au' <[owen.rayner@asic.gov.au](mailto:owen.rayner@asic.gov.au)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>  
**Subject:** Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B

**Kevin Lewis** | Chief Compliance Officer  
ASX Compliance | 20 Bridge Street | Sydney NSW 2000  
**t:** +61 2 9227 0771 | **m:** +61 414 593 948 | **e:** [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | **f:** +61 2 9227 0440  
**w:** [www.asx.com.au](http://www.asx.com.au)

Dear Mr Lewis,

Attached is our **Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B**. **Appendix 1** in the attached Haoma ASX Quarterly Report to December 31 2017 and shown below is only available to those sent this email.

We believe the attached covers all concerns the ASX has had with all of Haoma's ASX releases since October 16, 2017.

Please advise us of any concerns as we would like to have our Haoma Mining ASX Quarterly Report to December 31 2017 with Appendix 5B made available to Haoma shareholders tomorrow morning.

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

**Appendix 1:**

**Haoma Mining NL has subsequently withdrawn the releases listed below numbered 1, 2, 3, 5 & 6 and replaced the original publications with updated versions (updated January 30, 2018). Previous versions of these releases should be disregarded.**

**Haoma Mining NL has amended the following five Haoma Exploration Reports, Haoma 2017 Annual Report and Chairman's Address to 2017 Annual General Meeting:**

1. October 16, 2017 - Haoma recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar - (updated January 31, 2018 and previous release withdrawn)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/10/Haoma-ASX-re-Pilbara-Conglomerates-Release-updated-January-31-2018-October-16-2017.pdf>

2. October 18, 2017 - Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar (updated January 31, 2018 and previous release withdrawn)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/10/Haoma-ASX-re-Pilbara-Conglomerates-updated-January-31-2018-October-18-2017.pdf>

3. October 31, 2017 - Activities Report for the Quarter Ended September 30, 2017 (updated January 31, 2018 and previous release withdrawn) (See Appendix 2)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/11/Haoma-Mining-ASX-Quarterly-Report-to-September-30-2017-1.pdf>

4. November 2, 2017 – Haoma Mining NL June 30, 2017 Annual Report with Updated Chairman's Review and Report on Operations

<https://arc-haoma.s3.amazonaws.com/uploads/2017/11/Haoma-Mining-NL-Annual-Report-June-30-2017-updated-Jan-7-2018.pdf>

5. November 13, 2017 - One tonne bulk sample of Comet Mine 'C2' conglomerate produces 2.2g of gold (updated January 31, 2018 and previous release withdrawn)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/11/Haoma-Release-updated-January-31-2018-November-13-2017.pdf>

6. November 30, 2017 - Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Just inTime Prospect near Marble Bar (updated January 31, 2018 and previous release withdrawn)

<https://arc-haoma.s3.amazonaws.com/uploads/2017/12/Haoma-ASX-re-Pilbara-Conglomerates-Release-updated-January-31-2018-November-30-2017.pdf>

7. November 30, 2017 - Chairman's Address to 2017 Haoma Mining NL Annual General Meeting including updated exploration reporting information

<https://arc-haoma.s3.amazonaws.com/uploads/2017/12/Haoma-Chairmans-Address-to-2017-AGM-by-Gary-Morgan-November-30-2017-Including-Haoma-Nov-30-2017-ASX-release-and-Dec-18-changes-suggested-by-ASX.pdf>

**From:** Gary Morgan

**Sent:** Tuesday, 30 January 2018 7:01 PM

**To:** [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au); [John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au); [rick@holidaysmith.com.au](mailto:rick@holidaysmith.com.au)

**Cc:** Gary Morgan; Michele Levine; Tim Ingram; Jim Wallace; James Yeatman; Sellars-Jones, Graham <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)); 'owen.rayner@asic.gov.au'

**Subject:** FW: Extension of Time to Complete Compliance Work

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

**t:** +61 2 9227 0771 | **m:** +61 414 593 948 | **e:** [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | **f:** +61 2 9227 0440  
**w:** [www.asx.com.au](http://www.asx.com.au)

Dear Mr Lewis

We repeat: ***Haoma Mining NL intends to, and will, continue to work in good faith with ASX to achieving an outcome that will bring HAO fully into compliance with the listing rules and the JORC Code.*** Can we be any clearer?

Our statement that “*How Haoma proposes to bring itself fully into compliance with the listing rules and the JORC Code will depend on ASX’s attitude and approach to reaching a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX*” is **not** a qualification. **It is a statement of fact.** ASX has generally taken a strict view of its compliance requirements with Haoma, but has also offered to compromise.

The Directors of Haoma have observed that ASX has displayed flexibility in what it is prepared to determine is a complying document, and what is not a complying document. Haoma’s Directors are acutely aware that Haoma’s ability to reach a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX will largely depend on the ASX’s attitude and approach.

The Directors have no doubt that, if it chooses, the ASX can and will continue to find unacceptable noncompliance with its Listing Rules and the JORC Code. Conversely, if the ASX chooses to act with a genuine commitment to achieving an outcome that will bring Haoma into compliance with the Listing Rules and JORC Code, then the Directors are confident that such an outcome will be achieved.

While we note that the ASX has offered Haoma two clear alternative paths to bring itself into compliance with the Listing Rules and the JORC Code and to have HAO’s shares reinstated to trading, it appears that these are the only paths the ASX will consider.

Tomorrow morning we will forward to you Haoma’s December 2017 Quarterly Activities Report for review.

The report endeavours to consolidate and make compliant the information contained in Haoma’s prior noncompliant releases.

If the ASX agrees that Haoma’s December 2017 Quarterly Activities Report does this, we will have a mutually acceptable position from which to agree how the prior noncompliant releases are dealt with.

If the ASX **does not agree** that the contents of Haoma’s December 2017 Quarterly Activities Report presents the ‘formerly noncompliant’ information in a manner that satisfies the ASX Rules and JORC Code, we seek the ASX’s constructive advice as to how Haoma’s December 2017 Quarterly Activities Report can be made compliant in its own right and as an acceptable market update.

Consistent with the first approach suggested by you on January 16, 2018, Haoma would then look at options 1b, 1c, and also options 3 and 4, as **potential ways to deal with the noncompliant material.** Haoma does not wish to go down the more onerous path of correcting each noncompliant announcement.

In respect of Haoma's notice for release on MAP, Haoma intends to proceed with the meeting in accordance with the notice

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL  
.

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Tuesday, 30 January 2018 4:03 PM

**To:** Gary Morgan

**Cc:** Michele Levine; Tim Ingram; Jim Wallace; James Yeatman; Rick Holliday-Smith (External); Dominic Stevens; Daniel Moran; David Barnett; James Gerraty; James Rowe; John Johansson

**Subject:** RE: Extension of Time to Complete Compliance Work

Dear Mr Morgan

I refer to your most recent email below. ASX is not acting vexatiously, nor is it seeking to harm HAO or its shareholders, and I am confident that this will be clear to any reasonable reader of our communications to date.

To the contrary, ASX has laid out for HAO two clear alternative paths to bring itself into compliance with the Listing Rules and the JORC Code and to have HAO's shares reinstated to trading. We have offered HAO an extension of our COB 31 January deadline to COB 28 February 2018 to allow it to pursue those alternatives and undertaken to do everything within our power to assist HAO to comply. All we have asked for in return is *"a clear indication from HAO that it intends to work in good faith with ASX to achieving an outcome that will bring HAO fully into compliance with the listing rules and the JORC Code"*.

Instead, you have chosen to qualify HAO's representation in this regard with the statement below that: *"How Haoma proposes to bring itself fully into compliance with the listing rules and the JORC Code will depend on ASX's attitude and approach to reaching a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX."* This qualification is not acceptable to ASX.

I note that you intend to lodge HAO's December 2017 Quarterly Activities Report with ASX for review tomorrow. The lodgement of that document, by itself, will not cure HAO's prior breaches of listing rules 5.6, 5.7, 15.7, 18.7 and 18.8 or the JORC Code. We need to reach a good faith understanding with HAO on how it intends to cure all of those breaches and bring itself fully into compliance with the listing rules and the JORC Code by our COB 31 January deadline before we can agree to extend that deadline.

Therefore I ask HAO again: ***Please respond by email at the earliest opportunity, and in any event before COB on 31 January 2018, on whether HAO is prepared to give ASX a clear indication that it intends to work in good faith with ASX to achieving an outcome that will bring HAO fully into compliance with the listing rules and the JORC Code. If HAO's response is in the affirmative, please also indicate how HAO intends to bring itself fully into compliance with the listing rules and the JORC Code – that is, whether HAO wishes to pursue the less onerous "alternative proposal" set out in my email to you dated 16 January (as explained further in my email to you dated 25 January) or whether HAO still wishes to go down the more onerous path of correcting each non-compliant announcement.***

***Alternatively, if you have a different proposal to bring HAO fully into compliance with the listing rules and the JORC Code, please present it to us in writing before COB on 31 January 2018 and we will consider it (although, if you are going to do this, please do not waste your and our time by presenting an option, such as that outlined in your 24 January email, that ASX has already told you does not comply with the listing rules and the JORC Code).***

I note the comments in your most recent email to the effect that yesterday's notice of meeting was not a deliberate escalation on HAO's part but rather was "Haoma's preparations to remove itself from the official list if issues are not resolved by [ASX's] deadline". With respect, this statement does not withstand any reasonable scrutiny. ASX's deadline for HAO to bring itself into compliance with the Listing Rules and the JORC code or face de-listing was, and at this point still is, COB 31 January. How can a shareholders resolution passed on 28 February resolving to approve the very thing that ASX has said it will do on 31 January, a month beforehand, amount to "preparation" for that event? Even if you had assumed when you made that comment that ASX would provide an extension of its deadline to 28 February, having a shareholders resolution approving a de-listing on the same day that ASX makes that decision is not in any way preparatory to that decision.

We advised HAO yesterday that its latest notice of meeting did not comply with the listing rules or ASX's guidance for such notices. We gave HAO an opportunity to withdraw it gracefully and said that we would not release it in MAP if that is what HAO wanted to do. We also told HAO that if it intended to proceed with the meeting despite ASX pointing out the defects in the notice, we would release it on MAP but we would also make a public statement about the non-compliance of the notice with the listing rules and ASX guidance and also of ASX's position in relation to HAO's continuing non-compliance with the listing rules and the JORC Code. This is not being done, as you say, to harm HAO or its shareholders but to ensure that HAO's shareholders understand ASX's perspective on this matter and why ASX has taken the action it has.

We have HAO's notice queued for release on MAP. ***I need an answer to the further question in my email yesterday at the earliest opportunity, and in any event before COB on 31 January 2018, what does HAO intend to do in relation to the notice of meeting: does it intend to withdraw the notice or does it intend to proceed with the meeting in accordance with the notice?***

Let me point out one last thing that has not arisen in our communications to date. If HAO does end up being removed from the ASX official list (either of its own accord or at ASX's instigation), it is likely it will become an "unlisted disclosing entity" under section 675 of the Corporations Act. Instead of filing continuous disclosure notices with ASX, it will have to file them with ASIC. I think if you investigate, you will find that ASIC will require any notice by an unlisted disclosing entity

announcing explorations results to comply with the JORC Code, in the same way that ASX does. De-listing therefore will not assist HAO in avoiding its obligations under the JORC Code.

ASX genuinely hopes that we can reach a sensible resolution of these issues and that HAO's shares can resume trading on ASX. However, that can only occur if HAO brings itself fully into compliance with its obligations under the listing rules and the JORC Code. HAO's resistance to this outcome and the belligerent approach it is taking in its communications is not helpful. I suggest that HAO reconsiders its approach.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Tuesday, 30 January 2018 1:05 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Rick Holliday-Smith (External) <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>

**Cc:** Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; Sellars-Jones, Graham <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> (<[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>)

**Subject:** FW: Extension of Time to Complete Compliance Work

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 |

e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)

Dear Mr Lewis

I refer to your email to Jim Wallace at 11.26pm last night.

As we have at all times, Haoma Mining will continue to work in good faith with ASX to achieve an outcome that will bring Haoma fully into compliance with the listing rules and the JORC Code.

How Haoma proposes to bring itself fully into compliance with the listing rules and the JORC Code will depend on ASX's attitude and approach to reaching a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX.

Within the next 24 hours we will forward to you a copy of Haoma's December 2017 Quarterly Activities Report which we believe is fully compliant with ASX listing rules and the JORC Code.

We look to the ASX to confirm that Haoma's December 2017 Quarterly Activities Report is compliant with the ASX listing rules and JORC Code, and if not, the areas in which it is noncompliant so that we can rectify any genuine noncompliance. Once this document is accepted by the ASX and released on MAP we think the resolution of the other issues will follow.

In respect of the notice of meeting lodged yesterday afternoon (attached), it is quite clear on the face of the notice and the Explanatory Memorandum that if Haoma and the ASX resolve the outstanding issues between them before the end of the extended deadline, and the suspension of trading in Haoma's securities, the resolution will be withdrawn and will not be put to the meeting.

In circumstances where the ASX has unequivocally stated that it will remove Haoma from the official list if the issues between Haoma and the ASX are not resolved by the deadline, we don't see how Haoma's preparations to remove itself from the official list if issues are not resolved by the deadline could possibly be seen as an unnecessary escalation.

The Directors of Haoma lodged the notice of meeting yesterday in good faith, in circumstances where the Directors did not (and still do not) know if Haoma will even be on the official ASX list after January 31, 2018, given the ASX's threats to remove Haoma, **and as of today no confirmation the ASX will extend the deadline.**

On the question of good faith, your further threat to *"release the notice on MAP but make a public statement about the non-compliance of the notice with the listing rules and ASX guidance and also of ASX's position in relation to HAO's continuing non-compliance with the listing rules and the JORC Code"* is in our believe unnecessarily vexatious and unfortunately indicative of a desire on the part of the ASX to harm Haoma and its shareholders.

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

----- Original message -----

From: Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

Date: 29/01/2018 11:26 PM (GMT+10:00)

To: Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>

Cc: Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>, Tim Ingram

<[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>, James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>, Michele

Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>, "Rick Holliday-Smith (External)"

<[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>, Dominic Stevens <[Dominic.Stevens@asx.com.au](mailto:Dominic.Stevens@asx.com.au)>, Daniel Moran

<[Daniel.Moran@asx.com.au](mailto:Daniel.Moran@asx.com.au)>, David Barnett <[David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au)>, James Gerraty

<[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>, James Rowe <[James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au)>, John Johansson

<[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

Subject: RE: Extension of Time to Complete Compliance Work

Dear Mr Wallace

I refer to:



- your email below requesting an extension to the COB 31 January 2018 deadline that ASX imposed in its letter to HAO dated 20 November 2017 for HAO to correct its extant breaches of the listing rules and the JORC Code or else face removal from the official list;
- the email from your chairman to me dated 24 January indicating that HAO wishes to continue pursuing a resolution of this matter that involves it issuing announcements that do not comply with the listing rules and the JORC Code;
- my response to your chairman by email on the same day indicating why ASX cannot allow this and asking for a response by return email as to how HAO intended to proceed in this matter (which he has not yet provided); and
- the notice of meeting that HAO lodged for release to the market at 4.30pm this afternoon convening a meeting of shareholders to consider a resolution to de-list from ASX. HAO has also put a copy of that notice on its website.

Given the above, before ASX can agree to extend the 31 January 2018 deadline, ***we need a clear indication from HAO that it intends to work in good faith with ASX to achieving an outcome that will bring HAO fully into compliance with the listing rules and the JORC Code.*** If HAO gives that indication, ASX will happily extend that deadline to COB 28 February 2018 and do everything within its power to assist HAO to comply. If HAO doesn't, then there seems to be little or no reason for ASX to agree to the extension.

***Please respond by email at the earliest opportunity, and in any event before COB on 31 January 2018, on whether HAO is prepared to give ASX such an indication. If your response is in the affirmative, please also indicate how HAO intends to bring itself fully into compliance with the listing rules and the JORC Code – that is, whether HAO wishes to pursue the less onerous “alternative proposal” set out in my email to your chairman dated 16 January (as explained further in my email dated 25 January) or whether HAO still wishes to go down the more onerous path of correcting each non-compliant announcement.***

As to the notice of meeting lodged this afternoon, given the conciliatory tone of your email below, I have to say that this was a somewhat surprising development and, if it is HAO's genuine intent to work in good faith with ASX to achieving an outcome that will bring HAO into compliance with the listing rules and the JORC Code, an unnecessary escalation of this matter.

Regrettably, once again, HAO has demonstrated that it is not familiar with its obligations under the Listing Rules or that it is choosing not to comply with them. The process for requesting a voluntary removal from the official list is set out in listing rule 17.11 and section 2 of Guidance Note 33 (see [https://www.asx.com.au/documents/rules/gn33\\_removal\\_of\\_entities.pdf](https://www.asx.com.au/documents/rules/gn33_removal_of_entities.pdf)). It requires a written application to ASX and invariably is subject to a number of standard conditions imposed by ASX, including (but not only) a requirement for shareholder approval (see sections 2.1, 2.3, 2.6 and 2.7 of Guidance Note 33). Further, the notice seeking shareholder approval must be lodged in draft for ASX's approval under Listing Rule 15.1.7 before it is publicly released and it must address a number of specific content requirements (see section 2.11 of Guidance Note 33). The notice lodged this afternoon does not comply with any of these requirements.

***I would appreciate an indication from HAO at the earliest opportunity, and in any event before COB on 31 January 2018, what it intends to do in relation to this latest non-compliance with the listing rules:***

- does HAO intend to withdraw the errant notice lodged today – in which case ASX will not release the notice on MAP and presumably HAO will remove it from its website; or
- does HAO intend to proceed with the meeting in accordance with the notice – in which case ASX will release the notice on MAP but make a public statement about the non-compliance of the notice with the listing rules and ASX guidance and also of ASX's position in relation to HAO's continuing non-compliance with the listing rules and the JORC Code?

ASX will hold off publishing the errant notice of meeting on MAP until it receives this indication from HAO.



Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Monday, 29 January 2018 3:35 PM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine

<[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>

**Subject:** Extension of Time to Complete Compliance Work

Dear John

Thank you for your reminder about the impending deadline and your offer of assistance. We are continuing to work on the requested changes but have had a number of unexpected and unfortunate circumstances beyond our (or the ASX's) control that have occurred since the deadline was set in November last year (such as cyclones, deaths, incapacities due to illness, and more).

In light of the impending January 31 date I am authorised to accept the offer of an extension to complete the ongoing work. We request that February 28, 2018 be set as the new date to complete.

Regards

Jim Wallace

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Monday, 29 January 2018 1:44 PM

**To:** Jim Wallace

**Subject:** Haoma Mining

Hi Jim.

Hope your long weekend was good.

I assume you are in receipt of Kevin Lewis' email from Thursday last week?

Are you able to give me an update were HAO is at and if there is anything that I can assist with?

Also, have you considered the 31 January 2018 deadline noted in our letter from 20 November 2017?

Please let me know if HAO would like to make an extension to this deadline.

Regards.

**John Johansson**

Senior Adviser, Listings Compliance

**From:** [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)

**Sent:** 24 January 2018 7:02 PM

**To:** [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

**Cc:** [Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com); [Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com); [James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com);  
[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com); [rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au); [John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)

**Subject:** RE: Haoma seeks a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX

Dear Mr Morgan

ASX cannot condone a situation where a listed company releases information about exploration results that:

- (a) is clearly intended for public consumption;
- (b) does not comply with the listing rules and the JORC Code; and
- (c) is not lodged on the ASX Market Announcements Platform (MAP),

even if it has a disclaimer on top that this is the case.

The very reason MAP exists is to be the source of truth where investors can go to access all material public announcements by a listed entity. That is why listing rule 15.7 requires all announcements to be lodged on MAP before they are released anywhere else and why HAO publishing the various materials it did on its website when ASX had refused to release them on MAP was such an egregious breach of the listing rules.

Accordingly the proposal you have put to me in the letter attached to your latest email below is not one that ASX can accept.

I infer from your latest email that HAO now may not wish to pursue the “alternative proposal” outlined in my email dated 16 January. If that is the case, this puts us back to square one, where HAO will need to update each of its September 2017 Quarterly Activities Report & Appendix 5B cash flow report and the October 16, October 18, November 13 and November 30 announcements to make them JORC and listing rule compliant before they can be publicly released. It will also have to retract the non-compliant materials in its annual report and chairman’s address.

Please note that the issues with these materials go beyond the failure to include a completed section 1 and 2 of table 1 and a competent person’s sign-off. A number of other changes will be required to bring them into compliance with the listing rules and the JORC Code (see the email from John Johansson to Jim Wallace dated 22 December setting out ASX’s comments in relation to these materials).

HAO’s 31 January deadline for bringing itself into compliance with the listing rules and the JORC Code is now one week away. I expect HAO will face some difficulties in updating all of the materials above to be JORC and listing rule compliant by that deadline. That being so, I would invite HAO to carefully reconsider the alternative proposal in my 16 January email.

Please advise by return email how HAO wishes to proceed.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



Please consider the environment before printing this email

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Wednesday, 24 January 2018 4:11 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Rick Holliday-Smith (External) <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Sellars-Jones, Graham <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)) <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>

**Subject:** RE: Haoma seeks a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

**t:** +61 2 9227 0771 | **m:** +61 414 593 948 | **e:** [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | **f:** +61 2 9227 0440

**w:** [www.asx.com.au](http://www.asx.com.au)

Dear Mr Lewis,

Attached is a reply to your email of Jan 22, 2018 and other correspondence.

Also attached is a copy of Haoma's Quarterly Report to December 31, 2017.

Yours faithfully

Gary Morgan

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Monday, 22 January 2018 6:28 PM

**To:** Gary Morgan

**Cc:** Jim Wallace; Tim Ingram; James Yeatman; Michele Levine; Rick Holliday-Smith (External); John Johansson

**Subject:** RE: Haoma seeks a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX

Dear Mr Morgan

**Responding to your numbered questions below:**

- 1) As you know, ASX has declined to release the current version of HAO's quarterly activities report and Appendix 5B cash flow report for the quarter ended 30 September 2017 because they did not comply with Listing Rules 5.6 and 5.7 and the JORC Code.

Under Listing Rule 17.5, HAO will need to file an amended version of its Sept 17 quarterly activities report and Appendix 5B cash flow report acceptable to ASX before ASX can lift the trading suspension in its shares.

My suggestion that you publish an amended version of HAO's Sept 17 quarterly activities report that removes all materials to do with the discovery of flat watermelon seed like nuggets from Conglomerate Formation at the Comet Mine near Marble Bar was made in the context of the "alternative proposal" in my 16 January email – ie that HAO would publish a market update that effectively consolidates the material previously included in its 16 and 18 October and 13 and 30 November announcements and complies fully with the Listing Rules and the JORC Code, and then simply include a cross reference to that market update in the amended version of the Sept 17 quarterly activities report.

The benefits of proceeding in this manner are:

- It avoids the need for HAO to correct, and ASX to check, the non-compliant information currently in HAO's Sept 17 quarterly activities report (HAO simply excises that information from the report);
- It ensures that investors are directed to the most up to date information about the discovery; and
- It avoids potentially confusing investors by having one set of information in the Sept 17 quarterly activities report and a different and more up to date set of information in the market update.

It is not immediately apparent to me why you're objecting to proceeding down this path. Just to be clear though, in case your concern is that the cross-reference to the market update in the Sept 17 quarterly activities report would appear in a vacuum, that cross-reference can and should include an appropriate statement to put the cross-reference in context – ie something like:

"On [date], Haoma released a market update regarding the discovery of flat watermelon seed like nuggets from the Conglomerate Formation at the Comet Mine near Marble Bar. For more details see: [insert]."

- 2) I think ASX has already made its objections to the various market announcements that HAO has attempted to release to date quite plain in earlier correspondence. To sum up, it is because the attempted announcements did not comply with Listing Rule 5.6 (which imports the JORC Code into the Listing Rules), nor with a number of key requirements in Listing Rule 5.7 and the JORC Code relating to announcements of material exploration results. In each case, ASX has identified in detail why the attempted announcement did not comply with those requirements and how it needed to be corrected before it could be published on the Market Announcements Platform.

With most listed entities, the matter would have ended there with the entity publishing a corrective announcement that addressed ASX's concerns. However, HAO chose instead to resist doing this and to publish the non-compliant announcements on its website, in breach of Listing Rule 15.7. HAO then refused to comply with directions from ASX under Listing Rule 18.8 to remove the offending announcements from its website. It also breached Listing Rule 18.7 by failing to respond in a timely way to ASX's query letters concerning these matters.

You describe ASX's actions as "strong" and imply that they have been excessively so. To the contrary, I would characterise them as appropriate and proportionate in the circumstances, given the seriousness of HAO's breaches of Listing Rules 5.6, 5.7, 15.7, 18.7 and 18.8 and the JORC Code.

In relation to your reference to **Example D of Annexure A of Guidance Note 8**, your reading of that example is not correct and it does not support HAO's position in this matter. In that example, we address the situation where a listed entity has a drill core that reveals, on a visual inspection, a significant nickel and copper sulphide intercept close to the surface. We state that, in many cases, information derived solely from a visual inspection of a core sample and before an assay has been undertaken, would be a matter of supposition and insufficiently definite to warrant disclosure. In those circumstances, our guidance is that the disclosure of the drilling results would not normally be expected until the drill core has been assayed and analysed and a

report that complies with the requirements for disclosure of exploration results in Chapter 5 of the ASX Listing Rules and the JORC Code has been prepared.

We do note that there may be cases, depending on the style of mineralisation and what is apparent from the visual inspection, where an announcement might be appropriate ahead of a formal assay and analysis. In that case, we make it clear that the announcement should state that it is based solely on a visual inspection of the core sample and that the sample is yet to be assayed and analysed. We also state that it would generally be inappropriate to make any comments about the grade or quality of the mineralisation in an announcement in the absence of an assay.

In this latter scenario (ie where the announcement is based on a visual inspection rather than laboratory analysis), ASX would still expect the announcement to comply with the requirements of listing rules 5.6 and 5.7. It would not, for example, allow a listed entity simply to make an announcement referring to the visual inspection without a completed section 1 and 2 of JORC table 1, the drill hole information required by listing rule 5.7.2 or a competent person sign-off.

Noting that your “competent person” is a member of AIG, I would also point out that this matter is further addressed in AIG’s 2015 ethics ruling on the description and reporting of sulphide mineralisation in drilling samples (available at <https://www.aig.org.au/blog/2015/10/29/the-ethics-column-reporting-sulphide-mineral-observations-in-drilling-intersections/>). The ruling makes it clear that any announcement relying on visual estimates must still comply with the JORC Code.

In relation to **Mr Sprott’s public statements**, they are not at all relevant. At all times ASX has accepted the materiality of HAO’s discovery of nuggets and that HAO was subject to the requirement to disclose information about that discovery “immediately” under Listing Rule 3.1 and section 674 of the Corporations Act. HAO however continues to disregard the point that ASX has made to it on a number of occasions now that any material announcement of exploration results must still comply with the requirements in Chapter 5 of the Listing Rules and the JORC Code and that the word “immediately” (which in this context means “promptly and without delay” and not “instantaneously”) will stretch to accommodate the time reasonably needed to make a complete and compliant announcement under those requirements. ASX’s position in this regard, which is shared with ASIC, is made abundantly clear in Guidance Note 31.

Where an issuer is concerned that its exploration results are highly material and there is a risk of information leakage while a complete and compliant announcement is prepared, the proper way to deal with that risk is to request a trading halt to stop trading happening on an uninformed basis while a proper announcement is being generated that meets the requirements of the Listing Rules and the JORC Code. It is not, as HAO seems to want to continue arguing, to release an incomplete and non-compliant announcement.

Let me conclude by noting that we are fast approaching the **31 January 2018 deadline** that ASX gave HAO on 20 November 2017 to correct all of its existing breaches of the Listing Rules or else face removal from the official list under Listing Rule 17.12. With that in mind, I would recommend that HAO focus on what it needs to do to comply with ASX’s requirements rather than persist with these types of communications.

Can you please advise as soon as possible whether you anticipate completing the steps outlined in my 16 January email below by the 31 January 2018 deadline or whether you might wish to request an extension to that deadline.

Regards

**Kevin Lewis** | Chief Compliance Officer  
ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440  
w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]  
**Sent:** Friday, 19 January 2018 4:45 PM  
**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; Rick Holliday-Smith (External) <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>  
**Cc:** Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; Sellars-Jones, Graham <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> (<[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>); Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>  
**Subject:** Haoma Mining NL seeks a workable and mutually agreeable resolution to the matters in dispute between Haoma and the ASX

**Kevin Lewis** | Chief Compliance Officer  
ASX Compliance | 20 Bridge Street | Sydney NSW 2000  
t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440  
w: [www.asx.com.au](http://www.asx.com.au)

**Copy to Chairman of ASX, Mr R Holliday-Smith, and Mr John Johansson**

Dear Mr Lewis

Thank you for your email of Tuesday January 16, 2018, following up on the earlier email from Mr Holliday-Smith answering my letter of January 12.

As we expressed to Mr Holliday-Smith, Haoma Mining NL seeks a workable and mutually agreeable resolution to the matters in dispute between us. Haoma's updated shareholder releases in Attachment 2 include some of your suggestions, see Attachment 3.

Haoma is attracted to the four part alternative suggestion contained in your email, but has some questions to which it would appreciate your response before committing to any future course of action.

In particular, we would appreciate your advice as to the following:

- 1) Why the ASX is asking Haoma to remove "*all materials to do with the discovery of flat watermelon seed like nuggets from Conglomerate Formation at the Comet Mine near Marble Bar*". It is unclear to us which part of this statement is unacceptable to the ASX, given that **'flat watermelon seed like nuggets'** from Conglomerate Formation at the Comet Mine near Marble Bar were discovered in October 2017, and have continued to be discovered since, and
- 2) Why the ASX has taken, and continues to take, such strong objection to Haoma's announcement of the discovery of gold nuggets in conglomerate at the Comet Mine near Marble Bar, given the geographical significance of this find and the financial implications for miners in the area, investors, the State of Western Australia and even the Australian economy.

Whilst acknowledging that our initial announcements were not JORC compliant, we note that Example D of Annexure A of Guidance Note 8 to the ASX Listing Rules provides:

***“There may be cases, however, depending on the style of mineralisation and what is apparent from the visual inspection, where an announcement would be appropriate at this stage. In those cases, the announcement should make clear that it is based solely on a visual inspection of the core sample and that the sample is yet to be assayed and analysed”.***

It appears to us the above is precisely what Haoma did with its announcements in October 2017. The initial hard line taken by the ASX in objecting to these announcements was on the basis that they are “*material exploration results*” that were to be reported in accordance with Chapter 5 of the Listing Rules and the JORC Code, when in Haoma’s view that they were a ***significant material mineral discovery*** warranting disclosure.

Haoma is and continues to be willing to clarify, as provided for in the ASX Guidance Note 8, that the announcements were, at the stage they were made, based **solely on a visual inspection of the nuggets**, and were at the time yet to be assayed and analysed in accordance with the requirements of Chapter 5 of the Listing Rules and the JORC Code.

In further support of our ongoing assertion that Haoma’s October and November announcements were information concerning Haoma that a reasonable person would expect to have a material effect on the price or value of Haoma’s securities, we draw your attention to the article titled Bullion Hunt in the January 2018 edition of *The Australian Mining Review*, in which **Eric Sprott, Chairman of Canadian miner Kirkland Lake Gold (part owner of both Novo Resources and De Grey Mining – both gold miners in the Pilbara), is reported as saying he believed that the [Pilbara] region could host a gold resource of the same scale as Witwatersrand, from which more than a third of the world’s gold has been mined.**

Mr Sprott, whose thoughts are closely followed by mining investors, is quoted as saying “***We know conglomerate rock exists over a wide area of the Pilbara and we’ve discovered gold nuggets unlike any other nuggets in the world. We now need drilling and assays to test the grade and thickness of the mineralisation. It’s not yet conclusive, but it’s looking close***”.

The emphasised sentence, we think, justifies our belief that the discovery of ‘**flat watermelon seed like nuggets**’ from Conglomerate Formation at the Comet Mine near Marble Bar is of considerable importance to Haoma shareholders, and all investors and potential investors looking at the Pilbara.

Because of Mr Sprott’s public statements, and the quoted paragraph from Guidance Note 8 we seek your answers to the questions asked above.

Yours faithfully

Gary Morgan  
Chairman  
Haoma Mining NL

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Tuesday, 16 January 2018 5:29 PM

**To:** Gary Morgan

**Cc:** Jim Wallace; Michele Levine; Tim Ingram; James Yeatman; John Johansson; Chris Hesford

**Subject:** Compliance with the Listing Rules

Dear Mr Morgan



I'm following up the email you received this morning from my chairman, Rick Holliday-Smith.

Unfortunately, the updated materials mentioned in attachment 2 to your email below are still not compliant with the listing rules and JORC Code and therefore we cannot release them without further modifications.

I take your point below that amending these materials involves "re-writing history". Your point is particularly apt in relation to HAO's 2017 annual report and chairman's address, which of course have already been delivered to shareholders in their original, non-compliant format.

Rather than continuing to go down the path of updating each of the announcements and documents mentioned in attachment 2 to your email and toing and froing on the amendments needed to bring them into alignment with the listing rules and JORC Code, I would like to make an alternative suggestion that will involve less work for HAO and ASX and bring HAO into compliance with the listing rules and the JORC Code, without having to re-write history:

1. HAO publishes a new market announcement acceptable to ASX and styled as a "market update" that:
  - a. attaches a report that effectively consolidates the material previously included in HAO's announcements dated 16 and 18 October and 13 and 30 November 2017 and complies fully with the listing rules and the JORC Code;
  - b. formally withdraws the announcements dated 16 and 18 October and 13 and 30 November originally published on HAO's website and advises investors who have read those documents to disregard them and instead refer to the report attached to the market update; and
  - c. formally withdraws the earlier version of HAO's quarterly report for the quarter ended 30 September 2017 originally published on HAO's website and advises that investors instead should refer to the updated version of that document now published on MAP and HAO's website (see point 2 below).

Having the one consolidated report will be better from the perspective of investors and avoid the need to separately update and publish modified versions of the four previous announcements.

2. HAO prepares an amended quarterly report for the quarter ended 30 September 2017 acceptable to ASX that removes all of the materials to do with the discovery of flat watermelon seed-like nuggets from Conglomerate Formations at the Comet Mine near Marble Bar and replaces them with a simple cross-reference to the new market update. ASX would publish that document on MAP and HAO would replace the non-compliant version of that report on its website with the amended version.
3. So as not to re-write history, HAO puts a cover sheet acceptable to ASX on the original version of its 2017 annual report stating that the materials about the discovery of flat watermelon seed-like nuggets from Conglomerate Formations at the Comet Mine near Marble Bar have been withdrawn and investors should instead refer to the new market update published on MAP on [date]. ASX would publish that document on MAP and HAO would replace the current version of its annual report on its website with the cover sheeted version.
4. So as not to re-write history, HAO likewise puts a cover sheet acceptable to ASX on the original version of its 2017 chairman's address stating that the materials about the discovery of flat watermelon seed-like nuggets from Conglomerate Formations at the Comet Mine near Marble Bar have been withdrawn and investors should instead refer to the new market update published on MAP on [date]. ASX would publish that document on MAP and HAO would replace the current version of its chairman's address on its website with the cover sheeted version.

Please let me know if you would like to go down this alternative path and we can give you some guidance on what needs to be contained in the report attached to the market update.



If you do not wish to go down this alternative path, then we will send you a list of all of the issues that still need to be addressed in each of the announcements and documents mentioned in attachment 2 to your email before they can be released to the market.

BTW, can I please ask that you send any further updated documents to us in mark-up format rather than as clean PDFs? That will help speed our review and ensure you receive a timely response.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Rick Holliday-Smith [<mailto:rick@hollidaysmith.com.au>]

**Sent:** Tuesday, 16 January 2018 10:03 AM

**To:** Gary Morgan; 'john.johansson@asx.com.au'

**Cc:** Jim Wallace; Michele Levine; Tim Ingram; James Yeatman; 'Sellars-Jones, Graham

<[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)); Kevin Lewis; Daniel Moran

([Daniel.Moran@asx.com.au](mailto:Daniel.Moran@asx.com.au))

**Subject:** Confidential- Haoma Mining

Dear Mr Morgan

As advised in my email I have had further discussions with the team at ASX to make sure I am up to date on this matter and to ensure it is being properly handled.

The appropriate ASX executives with the in depth expertise continue to be involved and are communicating with you. They are keeping our CEO informed, and I understand they are suitably interacting with ASIC.

In your emails, dated 11 and 12 January, you comment that:

- HAO was obliged to release information about its discovery of gold nuggets in the Comet Mine conglomerate formation because it “was of significance and shareholders had to be informed”; and
- HAO’s strict disclosure obligations under Corporations Act effectively overrode the “procedural disclosure requirements” of the ASX Listing Rules and the JORC Code.

I understand our Chief Compliance Officer wrote to you on 30 October 2017 fully explaining why those comments are not correct and pointing you to the relevant passages from ASX Listing Rule Guidance Note 31 *Reporting on Mining Activities* explaining ASX’s position on these issues (a position that I am informed has been agreed with ASIC). I do not propose to repeat the points he made as you have his comments already.

In ASX’s view Chapter 5 of the Listing Rules and the JORC Code are not mere “procedural disclosure requirements”. They are important and substantive reporting requirements intended to help investors understand the quality of information provided about exploration results, mineral resources and ore reserves and to make informed investment decisions. All mining companies listed on ASX must comply with those requirements.

HAO must bring itself back into compliance with the Listing Rules and the JORC Code before its securities can be reinstated to trading. I have to presume you have the capability, or access to those that do, so you can

work that out. Further, I have asked our Listings Compliance team to make themselves available to discuss the required steps to ensure compliance and to give you every assistance they reasonably can.

In my mind there is no doubt it is in the markets, and your shareholders', best interests for that to happen and to normalise things as soon as possible.

If there is a real benefit in meeting I am happy to see you, but I think I have explained where ASX stands on the matter and hope we can move to resolution.

Yours sincerely

Rick Holliday-Smith

Chairman, ASX Limited

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Friday, 12 January 2018 6:30 PM

**To:** Rick Holliday-Smith (External) <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; 'Sellars-Jones, Graham' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au))' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>; Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>

**Subject:** RE: Confidential Haoma Mining letter to Mr R Holliday-Smith, Chairman of ASX, copy Mr John Johansson

**Letter to Chairman of ASX, Mr R Holliday-Smith**  
**copy Mr John Johansson**

Via email: [rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)

Copy: [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

Mr R Holliday-Smith  
Chairman of Directors  
ASX Limited  
20 Bridge Street  
SYDNEY NSW 2000

Dear Mr Holliday-Smith,

Thank you for your reply to the letter and attachments I sent you yesterday.

If you are able to take the time to consider the contents of my correspondence, I am sure you will become **less puzzled** by Haoma Mining NL's apparent unwillingness to follow the listing requirements. The fact is, Haoma will follow listing requirements where it is properly able.

The issue in this instance is the conflict between Haoma's Directors' strict obligations of disclosure under Corporations Law, and the procedural disclosure requirements of the ASX Listing Rules.

Like you, I have been extremely puzzled by the ASX compliance team's continued efforts to prevent Haoma from disclosing to the market what are significant factual matters that unquestionably affect current and potential investors, namely **a geologically uncharacteristic gold nugget discovery in the Marble Bar region** (but not limited to) Haoma's tenements. It would appear that the ASX has not contemplated a situation where the technical aspects of its listing requirements prevent the timely disclosure of financially significant information.

To date, your compliance team appears to have completely disregarded my repeated statements about Haoma's Director's legal obligations to disclose, and the difficult position in which they have placed us.

So to summarise this apparent stalemate of conflicting legal obligations as an unwillingness by Haoma to follow the listing requirements is, I think, most unhelpful and suggests a lack of appreciation of the situation Haoma's Directors finds themselves in as a result of the actions of the ASX compliance team.

I trust you will be able to bring some clarity and constructive advice to this situation when you meet with your compliance executives.

Haoma has no intentional desire to ignore ASX Listing Rules, and seeks a workable and mutually agreeable resolution to this conflict.

As I said in my letter: "Haoma Directors formally request that the ASX releases all information listed in **Attachment 2**.

In addition we request shareholders and potential shareholders be able to 'trade' Haoma share on the ASX.

Yours faithfully

Gary Morgan  
Haoma Mining NL  
Chairman

**From:** Rick Holliday-Smith [<mailto:rick@hollidaysmith.com.au>]

**Sent:** Friday, 12 January 2018 5:09 PM

**To:** Gary Morgan; 'john.johansson@asx.com.au'

**Cc:** Jim Wallace; Michele Levine; Tim Ingram; James Yeatman; 'Sellars-Jones, Graham  
<[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au))'; Kevin Lewis

**Subject:** RE: Confidential Haoma Mining letter to Mr R Holliday-Smith, Chairman of ASX, copy Mr John Johansson

Dear Mr Morgan

I have your email and will discuss the matter further with our compliance executives on my return to Sydney next week, and I will then ensure a further response.

I also note the multiple exchanges with ASX over recent months, and have to say I am puzzled by your company's apparent unwillingness to follow the listing requirements.

Yours Faithfully

R Holliday-Smith  
Chairman  
ASX limited

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Thursday, 11 January 2018 4:21 PM

**To:** Rick Holliday-Smith <[rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)>; 'John Johansson@asx.com.au' <[john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)>

**Cc:** Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>; 'Sellars-Jones, Graham' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)> ([GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au))' <[GSellarsJones@bellpotter.com.au](mailto:GSellarsJones@bellpotter.com.au)>

**Subject:** Confidential Haoma Mining letter to Mr R Holliday-Smith, Chairman of ASX, copy Mr John Johansson

**Letter to Chairman of ASX, Mr R Holliday-Smith**  
**copy Mr John Johansson**

Via email: [rick@hollidaysmith.com.au](mailto:rick@hollidaysmith.com.au)

Copy: [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

Mr R Holliday-Smith  
Chairman of Directors  
ASX Limited  
20 Bridge Street  
SYDNEY NSW 2000

Dear Mr Holliday-Smith

We are in receipt of Mr John Johansson email of 5:38pm, December 22, 2017 to Jim Wallace. (See below)

We have shown clearly in the [Haoma Mining June 30, 2017 Annual Report](#) photos of 'flat – watermelon seed-like' **nearly 100% pure gold nuggets** to indicate scale, and maps to show the location of the Just-in-Time and Tassie Queen Prospects.

Details in **Attachment 1** cover the ASX query regarding **aqua regia** and **leachwell** assays and **XRF** analysis readings from samples of Just-in-Time and Tassie Queen bulk samples first collected late November 2017, and referred to by [Haoma's Chairman on Page 6 in his Address to shareholders at the Annual General Meeting, November 30, 2017.](#)

More technical details will be in Haoma's next report to shareholders including a geologist's 'competent person statement' similar to that included in Haoma's November 30, 2017 report attached to the updated [Chairman's Address presented at Haoma Mining Annual General Meeting](#). This should address any substantive issues the ASX has had with Haoma's reporting to date.

However, Haoma's Directors are not going to rewrite history as the ASX requests. The information provided in Haoma's releases (which the ASX will not release) was provided because it was at the time of release, and still is, significant and price sensitive. (See **Attachment 2** – Six Haoma Mining NL reports sent to the ASX but not released.)

To date no new information, or more detailed review by a Competent Person, suggest that anything published in Haoma's Annual Report and Chairman's Address is incorrect. We believe it was 'wrong' of the

ASX not to publish those documents and we request that they are now published. The arguments are well articulated in Mr Sellars-Jones letter sent to you on November 30, 2017( **Attachment 3**).

The responsibility of Haoma's Directors is to make sure Haoma shareholders are 'accurately and fully informed' regarding all of Haoma's activities. This is covered under both the ASIC '*continuous disclosures*' law and the ASX 'continuous disclosure' obligations under Listing Rules 3.1:law. See **Attachment 4**, and in particular ASX obligations under Listing Rules 3.1:

*3.1 Once an entity is or becomes aware of 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, the entity must immediately tell ASX that information. (See attached – ASX abridged-continuous-disclosure-guide, Jan 2018)*

As more significant information becomes available Haoma will release this information to shareholders – not to do so would be 'wrong'.

Haoma Directors formally request that the ASX releases all information listed in **Attachment 2**.

Yours faithfully

Gary Morgan  
Haoma Mining NL  
Chairman

**Haoma letter to ASX on October 16, 2017**

October 16, 2017

John Johansson

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd

Level 4 North Tower Rialto

525 Collins Street Melbourne VIC

E: [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

Dear Sir,

Today you made a decision not advise Haoma Mining shareholders of the attached market announcement "Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar".

Haoma Mining is disappointed with your decision as the proposed ASX release advised shareholders of significant information regarding a large number of nuggets recovered from Comet Mine conglomerates near Marble Bar.

Withholding the report means Haoma's shareholders and the ASX market is uninformed.

We request the ASX place Haoma's shares in a trading halt until such time as the information is released.

Allowing the ASX market to continue to trade in Haoma shares without the information could result in significant losses to persons dealing in Haoma securities or shareholders in companies with nearby tenements.

Yours sincerely

Gary Morgan

### **ASX latest correspondence with Haoma :**

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]  
**Sent:** Sunday, 24 December 2017 7:45 AM  
**To:** Gary Morgan; Michele Levine; Tim Ingram  
**Subject:** FW: ASX comments on HAO proposed announcements

Hi Gary,

Below is a response from the ASX received Friday evening.  
My apologies for not sending it earlier but I accidentally deleted it from my inbox and couldn't get it back.  
I had to pop into the office this morning to reload my emails and find it.

Jim

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]  
**Sent:** Friday, 22 December 2017 5:38 PM  
**To:** Jim Wallace  
**Cc:** James Gerraty  
**Subject:** RE: ASX comments on HAO proposed announcements

Hi Jim,

Thanks for the updates.

Please refer our comments below. It would be helpful as part of our review if you make individual comments under each point and also provide a document that is in track changes.

Regards,

\*\*\*\*\*

1. Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Just in Time Prospect near Marble Bar

- Specific details of the recovered nuggets need to be included in the announcement. This should include appropriately scaled pictures to verify the reported nuggets and fine gold. Description of the approximate size and total weight of nuggets recovered. A map with details of the approximate location and distribution of the nuggets in relation to geology (a total area is adequate, each specific nugget location is probably not material). All relevant JORC Table 1 information detailing the sampling methods employed, surveying, geological logging and any other relevant geological information.

[ASX comment: Release included in Chairman's letter. It appears that HAO has not made any updates in regards to this point. Please explain why.]

2. Initial coarse crushing of one tonne bulk sample of Comet Mine conglomerate material produces 2.2g of gold

[ASX comment: It appears that HAO has not given us an updated announcement. Please explain why.]

- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.
- The sample location 'C2' and the specific location of the bulk sample needs to be clearly disclosed in the announcement to provide context to the results.
- Please remove hyper link in the announcement (they refer to announcement that ASX has refused to release).
- Please remove date of release for Marble Bar (16 October 2017) this date is no longer relevant.
- The bulk sampling, processing and recovery of gold appears to be material exploration results and need to be reported in compliance with ASX Listing Rules 5.6 and 5.7 and Clause 19 of the JORC code.

Clause 19 of JORC states:

*"Public Reports of Exploration Results must contain sufficient information to allow a considered and balanced judgement of their significance. Reports must include relevant information such as exploration context, type and method of sampling, relevant sample intervals and locations, distribution, dimensions and relative location of all relevant assay data, methods of analysis, data aggregation methods, land tenure status plus information on any of the other criteria listed in Table 1 that are material to an assessment."*

*Clear diagrams and maps designed to represent the geological context must be included in the report.*

*Reporting of selected information such as isolated assays, isolated drill holes, assays of panned concentrates or supergene enriched soils or surface samples, without placing them in perspective is unacceptable."*

- Further information and Table 1 commentary should be included to specifically address what sampling techniques were employed, the spacing and distribution of the 1 tonne sample (e.g. from a single trench with specific dimensions or aggregated from surface samples?), any sub-sampling techniques and sample preparation employed to aggregate the sample etc.

- Bulk sampling and method of treatment are specifically mentioned under the 'other substantive exploration data' in section 2 of Table 1. All details of the coarse crushing and gravity separation methods that "resulted in 2.2 grams of gold being recovered by gravity separation" should be clearly explained.

### 3. Activities report for the quarter ended September 30, 2017.

[ASX comment: It appears that HAO has not given us an updated announcement. Please explain why.]

- Please clearly label the GPS coordinates included in the maps so that they are consistent with reference points C1, C2, C3 etc. This would clear up any confusion as to the location of the nuggets and other exploration data.
- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.
- Please remove hyper link in the announcement (they refer to announcement that ASX has refused to release).
- You need to provide a reference to the source data for the Google earth images.
- Page 15 last section (2) - All details of this lab analysis should be clearly disclosed in Table 1 including 'sampling techniques' and 'other substantive exploration data'. Sample locations of the samples (C1 and C2) should be clearly disclosed.
- Please update the language in the announcement (for example on page 15 – references made to something that is going to be completed that has already be done).
- Page 15 – references made to the BHP does not seem to be relevant in this instance. This is historic data that has not been reported in accordance with the JORC Code so would need full disclosure under JORC 2012 and the ASX Listing Rules to remain.
- Page 16, 20, 21 – references made to the Elazac process. Based on recent discussions, ASX believes this constitutes exploration results and should therefore (separately to the gold nuggets discoveries) include details from section 1 and 2 of JORC Table 1, comments relating to the items in the relevant sections of Table 1 should be provided on an 'if not, why not' basis by a competent person per Clause 5 of the JORC Code and a comment by a competent person under the JORC Code that satisfies all of the requirement of ASX Listing Rule 5.22 in relation to the exploration results, figures, geological discussion and interpretations presented in the announcement.

### 4. Chairman's Address.

- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.

[ASX comment: ASX notes references in here to the activities report which has not yet been released. Please explain why.]

- No geological context is provided for the two pebbles shown in figure 2a and 2b. This should include details of sample locations, geological logging and discussion of context. For example, if the pebbles collected from loose surface float material, is there any specific evidence to suggest that they were sourced from a



nearby conglomerate? The pebbles appear to be a mafic rock typical of the Pilbara basement stratigraphy and contain titanium and iron minerals as supported by the XRF results. Stating that the two pebbles are “similar to pebbles in some of the Witwatersrand conglomerates” is potentially misleading without significant geological evidence. This statement and the quote from Terence McCarthy and hyperlink on page 4 should be removed on the basis that they are not transparent or material.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

- The picture of the nuggets is from an announcement that ASX has previously objected to and the company has not provided a competent persons statement or the required Table 1 information.

[ASX comment: competent person statement OK but not the required Table 1 information. HAO needs to address:

- All details of sampling methods for the nuggets need to be clearly set out.
- Should specify how the ‘sub-horizontal bench was cut’. Was this using a bulldozer?
- Details of any geological logging should be described or clearly explained why it was not completed.
- Details of sub-sampling techniques and preparation of the bulk samples should be clearly explained to clarify the recovered nuggets and panned concentrates.
- Data aggregation methods applied to the bulk sample need to be clearly set out. This should include specific description of any concentration methods applied and specific calculations used to derive assumed grams per tonne of gold from the 1.4 tonne sample.
- Details of the planned further work should be clearly set out.]
- The XRF results, polymetallic concentrates, panned gold concentrates, gold nuggets and details of milling, processing completed and assay results from the 1.4 tonne bulk sample on page 6 are all material exploration results and should be reported in accordance with Chapter 5 of the Listing Rules and the JORC Code.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

- Reference to a “polymetallic concentrate” on page 6 that “contains significant quantities of gold & Platinum Group Metals (PGM) in combination with iron, copper, zinc, nickel, cobalt, etc.” is potentially misleading. No details are provided of the processing and assaying completed or any valid data to verify the presence of the other metals. These statements should be removed.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

- Please include a reference in regard to Novo Resources statement that “about 80% nuggets, recovered by gravity” on page 6.

[ASX comment: OK. Reference added.]

- There are no details of the work completed by the University of Melbourne or the “smelting ‘Upgraded’ Bamboo Creek Tailings” referred to on page 7.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

- There does not seem to be any basis for the statement on page 7 that “It is now apparent that the Elazac Process will be of relevance for the recovery of gold and Platinum Group Metals (PGM) from the ‘fine’ fraction of Conglomerate Ore”.

[ASX comment: OK.]

- The statement on page 8 that “All those seeking to invest in Haoma have not taken into account the additional gold and PGM Haoma has measured in conglomerate ore using the Elazac Process” is potentially misleading as HAO has not presented any specific evidence to verify these assertions.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

- The Chairman’s address needs to include a competent persons statement and a JORC Table 1 in regard to the exploration results and geological discussion. They cannot rely on the statement provided in the above announcement as the exploration information in the Chairman’s address does not relate to the statement and Table 1 provided.

[ASX comment: competent person statement OK but not the required Table 1 information. Please refer to comment above, third bullet point under 4. Chairman’s Address.]

[ASX comment: In addition, ASX notes the additional comment on the first and second page of the ‘flat - watermelon seed like’ announcement – ‘*Notwithstanding the announcement...*’ ASX believe this is not appropriate for release based on our previous discussions. Please remove.]

## 5. Annual Report.

- Information at the start of the Annual Report is a re-iteration of above announcements. Refer points above for specific comments.

[ASX comment: As mentioned, it appears that HAO have included the bulk of the information from its proposed quarterly 30 September report in its annual report. The only change/addition appears to be killing of the hyper link on page 7 and the addition of the 2006 geological work on page 14. Please explain why no other changes has been made.]

- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.

[ASX comment: OK.]

- Please remove hyper link in the announcement (they refer to announcement that ASX has refused to release).

[ASX comment: Hyperlink removed. OK.]

- On release, the additional ASX required information (page 49 of the annual report) can’t be more than 6 weeks old on release. Please update in anticipation of a future release.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

- No need to add table 1 of JORC as long as cross references has been made in accordance with Listing Rule 5.23.

[ASX comment: It appears that HAO has not made any updates in regards to this point. Please explain why.]

[ASX comment: It appears that a new pictures has been added on page 14 of the annual report. Please insert a full reference to were HAO has retrieved this information.]

\*\*\*\*\*

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC

+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Monday, 18 December 2017 5:57 PM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>

**Subject:** FW: ASX comments on HAO proposed announcements

*Dear John*

*We refer to your email of December 12, 2017.*

*Attached hereto is an updated version of the Haoma Mining NL 2017 Annual Report as released to shareholders October 31 2017.*

*We have incorporated changes as suggested by ASX in relation to the reporting of exploration results.*

*Also attached hereto is an amended version of the Chairman's Address to the 2017 AGM.*

*We have addressed issues including geological context and JORC Code requirements and other references requested by ASX.*

*We now request that ASX agree to release these reports. As ASX is aware, these reports have already been released to shareholders. It is not possible to re-write history.*

*We believe the announcements should be publicly available through the ASX Announcements Platform and on Haoma's website with an explanation that they have been updated since the original release.*

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** John Johansson

**Sent:** Tuesday, 12 December 2017 12:59 PM

**To:** 'Jim Wallace' <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>

**Cc:** James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Subject:** ASX comments on HAO proposed announcements

Dear Jim,

Please refer to our comments below (in reference to the attached five proposed announcements). The proposed announcements are in order of comments provided.

Don't hesitate to give me a call to discuss. My suggestion would be that HAO gives us updated announcements after incorporating our observations for any further potential comments.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC

+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

\*\*\*\*\*

1. Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Just in Time Prospect near Marble Bar

- Specific details of the recovered nuggets need to be included in the announcement. This should include appropriately scaled pictures to verify the reported nuggets and fine gold. Description of the approximate size and total weight of nuggets recovered. A map with details of the approximate location and distribution of the nuggets in relation to geology (a total area is adequate, each specific nugget location is probably not material). All relevant JORC Table 1 information detailing the sampling methods employed, surveying, geological logging and any other relevant geological information.

2. Initial coarse crushing of one tonne bulk sample of Comet Mine conglomerate material produces 2.2g of gold

- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.
- The sample location 'C2' and the specific location of the bulk sample needs to be clearly disclosed in the announcement to provide context to the results.
- Please remove hyper link in the announcement (they refer to announcement that ASX has refused to release).
- Please remove date of release for Marble Bar (16 October 2017) this date is no longer relevant.
- The bulk sampling, processing and recovery of gold appears to be material exploration results and need to be reported in compliance with ASX Listing Rules 5.6 and 5.7 and Clause 19 of the JORC code.

Clause 19 of JORC states:

*"Public Reports of Exploration Results must contain sufficient information to allow a considered and balanced judgement of their significance. Reports must include relevant information such as exploration context, type and method of sampling, relevant sample intervals and locations, distribution, dimensions and relative location of all relevant assay data, methods of analysis, data aggregation methods, land tenure status plus information on any of the other criteria listed in Table 1 that are material to an assessment.*

*Clear diagrams and maps designed to represent the geological context must be included in the report.*

*Reporting of selected information such as isolated assays, isolated drill holes, assays of panned concentrates or supergene enriched soils or surface samples, without placing them in perspective is unacceptable.”*

- Further information and Table 1 commentary should be included to specifically address what sampling techniques were employed, the spacing and distribution of the 1 tonne sample (e.g. from a single trench with specific dimensions or aggregated from surface samples?), any sub-sampling techniques and sample preparation employed to aggregate the sample etc.
- Bulk sampling and method of treatment are specifically mentioned under the ‘other substantive exploration data’ in section 2 of Table 1. All details of the coarse crushing and gravity separation methods that “resulted in 2.2 grams of gold being recovered by gravity separation” should be clearly explained.

### 3. Activities report for the quarter ended September 30, 2017.

- Please clearly label the GPS coordinates included in the maps so that they are consistent with reference points C1, C2, C3 etc. This would clear up any confusion as to the location of the nuggets and other exploration data.
- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.
- Please remove hyper link in the announcement (they refer to announcement that ASX has refused to release).
- You need to provide a reference to the source data for the Google earth images.
- Page 15 last section (2) - All details of this lab analysis should be clearly disclosed in Table 1 including ‘sampling techniques’ and ‘other substantive exploration data’. Sample locations of the samples (C1 and C2) should be clearly disclosed.
- Please update the language in the announcement (for example on page 15 – references made to something that is going to be completed that has already be done).
- Page 15 – references made to the BHP does not seem to be relevant in this instance. This is historic data that has not been reported in accordance with the JORC Code so would need full disclosure under JORC 2012 and the ASX Listing Rules to remain.
- Page 16, 20, 21 – references made to the Elazac process. Based on recent discussions, ASX believes this constitutes exploration results and should therefore (separately to the gold nuggets discoveries) include details from section 1 and 2 of JORC Table 1, comments relating to the items in the relevant sections of Table 1 should be provided on an ‘if not, why not’ basis by a competent person per Clause 5 of the JORC Code and a comment by a competent person under the JORC Code that satisfies all of the requirement of ASX Listing Rule 5.22 in relation to the exploration results, figures, geological discussion and interpretations presented in the announcement.

### 4. Chairman’s Address.

- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.

- No geological context is provided for the two pebbles shown in figure 2a and 2b. This should include details of sample locations, geological logging and discussion of context. For example, if the pebbles collected from loose surface float material, is there any specific evidence to suggest that they were sourced from a nearby conglomerate? The pebbles appear to be a mafic rock typical of the Pilbara basement stratigraphy and contain titanium and iron minerals as supported by the XRF results. Stating that the two pebbles are “similar to pebbles in some of the Witwatersrand conglomerates” is potentially misleading without significant geological evidence. This statement and the quote from Terence McCarthy and hyperlink on page 4 should be removed on the basis that they are not transparent or material.
- The picture of the nuggets is from an announcement that ASX has previously objected to and the company has not provided a competent persons statement or the required Table 1 information.
- The XRF results, polymetallic concentrates, panned gold concentrates, gold nuggets and details of milling, processing completed and assay results from the 1.4 tonne bulk sample on page 6 are all material exploration results and should be reported in accordance with Chapter 5 of the Listing Rules and the JORC Code.
- Reference to a “polymetallic concentrate” on page 6 that “contains significant quantities of gold & Platinum Group Metals (PGM) in combination with iron, copper, zinc, nickel, cobalt, etc.” is potentially misleading. No details are provided of the processing and assaying completed or any valid data to verify the presence of the other metals. These statements should be removed.
- Please include a reference in regard to Novo Resources statement that “about 80% nuggets, recovered by gravity” on page 6.
- There are no details of the work completed by the University of Melbourne or the “smelting ‘Upgraded’ Bamboo Creek Tailings” referred to on page 7.
- There does not seem to be any basis for the statement on page 7 that “It is now apparent that the Elazac Process will be of relevance for the recovery of gold and Platinum Group Metals (PGM) from the ‘fine’ fraction of Conglomerate Ore”.
- The statement on page 8 that “All those seeking to invest in Haoma have not taken into account the additional gold and PGM Haoma has measured in conglomerate ore using the Elazac Process” is potentially misleading as HAO has not presented any specific evidence to verify these assertions.
- The Chairman’s address needs to include a competent persons statement and a JORC Table 1 in regard to the exploration results and geological discussion. They cannot rely on the statement provided in the above announcement as the exploration information in the Chairman’s address does not relate to the statement and Table 1 provided.

## 5. Annual Report.

- Information at the start of the Annual Report is a re-iteration of above announcements. Refer points above for specific comments.
- If you make references to other announcements HAO has made, please insert cross reference that announcement in accordance with Listing Rule 5.23.
- Please remove hyper link in the announcement (they refer to announcement that ASX has refused to release).

· On release, the additional ASX required information (page 49 of the annual report) can't be more than 6 weeks old on release. Please update in anticipation of a future release.

· No need to add table 1 of JORC as long as cross references has been made in accordance with Listing Rule 5.23.

\*\*\*\*\*

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Thank you. We will revert with our response as quickly as we can.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Monday, 4 December 2017 10:47 AM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>

**Subject:** RE: Haoma Mining Exploration Progress Reports, Activities Report and Haoma Chairman's Address to AGM

Dear Mr Lewis,

Further to my email of Friday December 1, attached is the updated Haoma Mining NL Annual Report with Competent person Statement and Table 1.

We have also attached an updated November 30, 2017 release which includes Figures 1 to 5 which were omitted from the version submitted to you on Friday.

Sincerely

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Jim Wallace

**Sent:** Friday, 1 December 2017 6:00 PM

**To:** Kevin Lewis

**Cc:** James Gerraty; John Johansson; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram; James Yeatman

**Subject:** Haoma Mining Exploration Progress Reports, Activities Report and Haoma Chairman's Address to AGM

Dear Mr Lewis,

As advised yesterday, Haoma has withdrawn from its website previous releases which omitted to include the required JORC statements.

We have updated all reports and prepared a covering letter to alert all readers that the reports have been updated.

Copies of all reports with the exception of the Annual Report are attached. We have excluded Appendices 1 and 2 from the September Quarter Activities Report as the file size was too large for transmission.

We will also update the Annual Report as required.

Haoma is endeavouring to correct matters to ASX requirements.

Yesterday you advised that ASX has a number of concerns regarding the exploration progress report and the Chairman's Address which would be conveyed in due course.

We would appreciate receiving details of all items of concern to ASX in order that we can continue address remaining issues.

Sincerely

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Jim Wallace

**Sent:** Friday, 1 December 2017 4:08 PM

**To:** 'Kevin Lewis'

**Cc:** James Gerraty; John Johansson; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram; James Yeatman

**Subject:** RE: Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear Mr Lewis.

You are correct in identifying an error.

The Table 1 from September 2016 was used as a template.

The document was initially 5 pages. An incorrect final page was used in consolidating the document to a pdf version of Table 1.

I have checked with Mr Furnell and he has confirmed that the attached document is how the Table 1 document should have been presented.

We will correct all documents affected by this error.

Sincerely

**Jim Wallace**



**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Friday, 1 December 2017 1:26 PM

**To:** Jim Wallace

**Cc:** James Gerraty; John Johansson; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram; James Yeatman

**Subject:** RE: Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear Mr Wallace

We have managed to confirm with AIG that Mr Furnell is in fact a current member of AIG and so we have no issues with him providing a competent person sign-off on the exploration progress report on that score.

Can you please comment, or have Mr Furnell comment, on the fact that the Geology, Diagrams, Balanced Reporting and Further Work details in section 2 of the Table 1 included in his most recent report appear to be a direct copy of the equivalent information from a Table 1 (the "2016 Table 1") included in appendix 4 of HAO's quarterly activities report for the quarter ended 30 September 2016 released on the ASX Market Announcements Platform on 21 December 2016.

The Geology section of the 2016 Table 1 specifically refers to lithium exploration activities at or near the De Grey Mining Ltd ("DEG") Tabba Tabba and Indee project areas south of Port Hedland.

The Geology section in Mr Furnell's latest report also refers to lithium exploration activities at or near DEG's Tabba Tabba and Indee project areas and does not appear to be at all relevant to HAO's gold exploration activities near Marble Bar.

It is not clear to ASX whether the Diagrams, Balanced Reporting and Further Work details in Mr Furnell's latest report also relate to HAO's lithium exploration activities at or near DEG's Tabba Tabba and Indee project areas or to HAO's gold exploration activities near Marble Bar.

We would appreciate any light you can shed on these issues.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Thursday, 30 November 2017 2:52 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>

**Subject:** RE: Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear Mr Lewis,

Mr Furnell has advised that he is a current member of the Australian Institute of Geoscientists (AIG member number 1674).

We understand that Mr Furnell has recently renewed his membership so it may be that the online AIG membership status is out of date.

Regards

**Jim Wallace**  
**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Thursday, 30 November 2017 2:38 PM

**To:** Jim Wallace

**Cc:** James Gerraty; John Johansson; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram; James Yeatman

**Subject:** RE: Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear Mr Wallace

ASX has a number of concerns regarding the exploration progress report and the chairman's address which we will convey to you in due course.

Before we do so, however, as a threshold issue, can you please confirm that Mr Ronald Furnell, the author of the report, is in fact a current member of the Australian Institute of Geoscientists (AIG) and therefore qualified to be a "competent person" under the JORC Code?

A search of the AIG's online list of members (<https://www.aig.org.au/about-aig/membership/member-search/#participants-list-1>) does not show anyone of that name as a member. Also, a Google search reveals an AIG newsletter ([https://www.aig.org.au/wp-content/uploads/2016/05/aig\\_news\\_124\\_missing\\_members\\_may16\\_01\\_v1\\_LR\\_int.pdf](https://www.aig.org.au/wp-content/uploads/2016/05/aig_news_124_missing_members_may16_01_v1_LR_int.pdf)) that has Ronald Furnell on a list of AIG members who had not paid their fees for 2015/2016.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Thursday, 30 November 2017 1:29 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Matthew

Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; James Yeatman <[James.Yeatman@roymorgan.com](mailto:James.Yeatman@roymorgan.com)>

**Subject:** RE: Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear Mr Lewis

Please be assured Haoma is working as fast as possible to address the matters raised by the ASX, and comply with the ASX Listing Rules. This is evidenced by Haoma sending the ASX an advance copy of today's Haoma release and Chairman's Address this morning.

Haoma did not withhold information with the intention of making a 'last minute' release prior to its Annual General Meeting today. Some significant information contained in the documents forwarded to the ASX was only received by Haoma during the last 24 hours.

Haoma has an obligation under Corporations Law to immediately inform its shareholders of significant information that could impact the value of the company. Haoma will work with the ASX to resolve all of the outstanding matters, and today will begin resubmitting to the ASX, for release, all of Haoma's announcements to which the ASX has raised concerns.

Sincerely

**Jim Wallace**  
**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Thursday, 30 November 2017 9:33 AM

**To:** Jim Wallace

**Cc:** James Gerraty; John Johansson; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram

**Subject:** RE: Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear Mr Wallace

We will look at the updated exploration progress report and determine whether it now meets the requirements of the Listing Rules and the JORC Code and revert to you as quickly as we reasonably can.

As to the Chairman's address, it is quite unacceptable that you send this to us a little over an hour before the address is due to be given to shareholders when it:

- refers to and attaches an updated exploration progress report that we have not had an opportunity to review; and
- refers to and has links to earlier documents that ASX has refused to release to the market, such as your September quarterly and your 2017 annual report.

This should have been discussed with ASX well before the date of your AGM. Sadly, this is in keeping with the approach that HAO has taken to its obligations under the Listing Rules and the JORC Code thus far.

ASX reserves its position on the contents of the Chairman's address.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Thursday, 30 November 2017 8:46 AM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>

**Subject:** Haoma Mining Exploration Progress Report dated November 30, 2017 and Haoma Chairman's Address to AGM today

Dear John,

Attached are 2 documents:

1. An exploration progress report dated today
2. The Chairman's Address to Haoma's AGM being held today at 10.00am.

Please note that the progress report includes the required Competent Person Statement and a JORC Code Table 1.

The Report is also annexed to the Chairman's Address.

Today we will withdraw the previous releases from our website and replace them with new reports containing the required statements as above.

Please advise whether ASX is prepared to release the attached announcements to the market and by what process you would expect us to re-lodge the earlier non-JORC compliant releases. Should that be through you or direct to the Announcements Platform.

Kind regards

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

Dear Mr Lewis

Please refer to the letter attached.

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

November 20, 2017  
Mr Kevin Lewis  
Chief Compliance Officer  
ASX Limited  
20 Bridge Street  
**SYDNEY NSW 2000**  
By email: [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)

Dear Sir,  
Haoma is in receipt of your letter of November 20, 2017.  
Haoma does not wish to be involved in a protracted dispute with the ASX.  
Haoma's Directors believe all compliance matters pertinent to the current trading suspension will be resolved well before the proposed January 31, 2018 deadline.  
Yours faithfully  
James Wallace  
Secretary

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]  
**Sent:** Monday, 20 November 2017 1:02 PM  
**To:** Gary Morgan  
**Cc:** Michele Levine; Tim Ingram; Peter Cole; Peter Scales (Melb Uni); Jim Wallace; James Gerraty; James Rowe; John Johansson; Chris Hesford; Matthew Gibbs; Daniel Moran  
**Subject:** Further and ongoing breaches of the ASX Listing Rules

Dear Mr Morgan

Please see my letter attached. I believe you will find it self-explanatory but if you have any queries, I'd be happy to clarify them for you.

Regards  
**Kevin Lewis** | Chief Compliance Officer  
ASX Compliance | 20 Bridge Street | Sydney NSW 2000  
t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440  
w: [www.asx.com.au](http://www.asx.com.au)

 **Please consider the environment before printing this email**

20 November 2017  
Mr Gary Morgan  
Chairman of Directors  
Haoma Mining NL  
401 Collins Street  
Melbourne VIC 3000  
By email: [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

Dear Mr Morgan

**Haoma Mining NL ("HAO") – further and ongoing breaches of the ASX Listing Rules**

ASX refers to the document released on HAO's website on 13 November 2017 entitled '*Release - One tonne bulk sample of Comet Mine 'C2' conglomerate produces 2.2g of gold (not released by ASX) with explanatory note from Gary Morgan*' (the "13 November release") disclosing among other things:

*"On October 16, 2017 Haoma Directors advised shareholders that a large number of 'flat' gold nuggets and 'fine' gold had been collected from Comet Mine conglomerate outcrop area 'C2' located to the South West of Haoma's Comet Mine near Marble Bar. ...*

*The 'flat' nuggets were collected just below the conglomerate surface using a hammer and/or pick over a 150 metre section (20-40 metre wide) of area 'C2' conglomerate strike zone which is believed to be at least 3 kilometres long.*

*Last week Haoma personnel followed up the important discovery of 'flat' nuggets (nearly 100% pure gold) by taking a one tonne bulk sample of conglomerate material from the top of the range of hills in area 'C2'.*

*An initial stage of coarse crushing the one tonne bulk sample resulted in 2.2 grams of gold being recovered by gravity separation.*

*More gold is expected to be recovered at the next stage of processing when a 'fine' crush is applied to the remaining conglomerate material."*

The 13 November release is accompanied by a cover letter from you. That letter attaches a copy of an email from Mr Jim Wallace, HAO's company secretary, to you stating:

*"I spoke to Haoma's Listing Compliance Adviser at ASX, John Johansson, about the reason for not releasing today's announcement:*

*He advised that the announcement was not released because:*

*☐ The announcement refers to and includes a link to other documents not released by ASX*

*☐ The announcement covers activity regarded as exploration work and does not include the required JORC statements and Table*

*Mr Johansson also advised that ASX would not respond with an email setting out the reasons because Haoma will simply publish that on its website as well."*

The first two paragraphs of that email are correct. HAO attempted to publish the 13 November release on the ASX Market Announcements Platform ("MAP") but it was rejected by ASX for the reasons given by Mr Johansson and summarised in the email quoted above.

However, Mr Wallace's understanding that ASX would not be responding more formally with its reasons for rejecting the release is not correct. This letter is ASX's formal response.

### **The 13 November release is a breach of the Listing Rules**

The information in the 13 November release clearly constitutes "explorations results", as defined in the Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves ("JORC Code") and the Listing Rules.

As ASX has advised HAO on more than one occasion now, Listing Rule 5.6 requires a public report by an entity that includes a statement of exploration results to be prepared in accordance with the JORC Code, including in particular, clauses 9, 10, 11, 18 and 19 of that Code. If the announcement relates to a material mining project, it must also comply with Listing Rule 5.7.

Among other things, these require the production of a 'Table 1' addressing each of the criteria in sections 1 and 2 of that table on an 'if not why not' basis and various other information about the discovery (including information about sampling techniques, logging, location of data points, discussion of geological context and planned further work). The Table 1 must be based on and fairly reflect the work of a named 'competent person', defined in clause 11 of the JORC Code to mean:

*"a minerals industry professional who is a Member or Fellow of The Australasian Institute of Mining and Metallurgy, or of the Australian Institute of Geoscientists, or of a 'Recognised Professional Organisation' (RPO), as included in a list available on the JORC and ASX websites..."*

*A Competent Person must have a minimum of five years relevant experience in the style of mineralisation or type of deposit under consideration and in the activity which that person is undertaking. If the Competent Person is preparing documentation on Exploration Results, the relevant experience must be in exploration..."*

The competent person must also provide a written consent to the inclusion of their work in the announcement as to the form and context in which it appears.

The 13 November release is said to be based on information compiled by Mr Peter Cole, who is said to be:

*"an expert in regard to this type of sampling and processing mineral outcrops. Mr Cole has worked in the mining industry for over 30 years and has been associated with Haoma for more than 20 years."*

You have already conceded to ASX that Mr Cole is not a 'competent person' within the meaning of the JORC Code as he is not a member of AUSIMM, AIG or an RPO. Even if he was, the 13 November release does not include the proper form of consent from him. It therefore breaches the JORC Code (and therefore Listing Rule 5.6) in these important respects.

The 13 November release is deficient in the following further respects:

☐ The announcement breaches clause 19 of the JORC Code (and therefore Listing Rule 5.6). That clause states:

*“Public Reports of Exploration Results must contain sufficient information to allow a considered and balanced judgement of their significance. Reports must include relevant information such as exploration context, type and method of sampling, relevant sample intervals and locations, distribution, dimensions and relative location of all relevant assay data, methods of analysis, data aggregation methods, land tenure status plus information on any of the other criteria listed in Table 1 that are material to an assessment. ...*

*Clear diagrams and maps designed to represent the geological context must be included in the report. ...*

*Reporting of selected information such as isolated assays, isolated drill holes, assays of panned concentrates or supergene enriched soils or surface samples, without placing them in perspective is unacceptable.”*

☐ The sample location ‘C2’ needs to be clearly disclosed in the announcement to provide context to the results.

☐ Further information and Table 1 commentary should be included addressing what sampling and (if applicable) sub-sampling techniques were employed, the spacing and distribution of the 1 tonne sample, and any sample preparation techniques employed to aggregate the sample. Information should also be included about the coarse crushing and gravity separation methods that “resulted in 2.2 grams of gold being recovered by gravity separation” (see the information required about bulk sampling and method of treatment under ‘other substantive exploration data’ in section 2 of Table 1).

☐ The announcement should not include any references (including the active link) to previous non-compliant reports of exploration results.

As the 13 November release does not include the information required, and that HAO’s shareholders and the market are entitled to expect, under the Listing Rules, ASX cannot allow it to be released to the market in that form.

In accordance with Listing Rule 18.8, and to ensure compliance with Listing Rules 5.6 and 5.7, ASX requires HAO to withdraw the 13 November release and replace it with an announcement that meets the requirements of the Listing Rules mentioned above.

#### **Direction under Listing Rule 18.8 to remove 13 November release**

As ASX has advised HAO on more than one occasion now, Listing Rule 15.7 provides:

*“An entity must not release information that is for release to the market to any person until it has given the information to ASX and has received an acknowledgement that ASX has released the information to the market.”*

The 13 November release was plainly intended by HAO for release to the market.

ASX declined to release the 13 November release to the market due to its material non-compliance with the Listing Rules. Accordingly, HAO has not received the required acknowledgement under Listing Rule 15.7 that ASX has released the announcement to the market. The act of HAO publishing the 13 November release on its website is therefore a breach of Listing Rule 15.7, as well as Listing Rules 5.6 and 5.7.

In accordance with Listing Rule 18.8, and to ensure compliance with Listing Rules 5.6, 5.7 and 15.7, ASX requires HAO to remove the 13 November release from its website, and to confirm to ASX when that has been done. Page 4 of 6



### **The delay in responding to ASX's 26 October query letter**

On 26 October ASX sent HAO a query letter under Listing Rule 18.7. The background to that letter was that on 16 October, HAO attempted to release on MAP an announcement about the discovery of gold nuggets in the Comet Mine Conglomerate formation. ASX withheld the announcement from release for apparent non-compliance with the Listing Rules and suspended trading in HAO's shares pending clarification of queries raised by ASX in relation to the announcement.

ASX sent an email to HAO's company secretary on 16 October explaining the reasons for not releasing the announcement and highlighting the areas that needed to be addressed to comply with the Listing Rules.

On 18 October, HAO attempted to release a further announcement on the same matter, which ASX also withheld from release because it did not adequately address the issues identified in our 16 October email.

Having reached an apparent impasse with HAO, ASX sent a query letter to HAO on 26 October about the attempted 16 and 18 October announcements, asking questions to address the areas of potential non-compliance with the Listing Rules. That letter was sent pursuant to Listing Rule 18.7, which provides:

*"An entity must give ASX any information, document or explanation that ASX asks for to enable it to be satisfied that the entity is, and has been, complying with the listing rules. The entity must do so within the time specified by ASX."*

ASX asked for a response to its 26 October query letter by no later than 9.30 a.m. AEST on 3 November. In ASX's view that was ample time for HAO to respond. Despite this, as at the date of writing this letter, ASX has not received any response to the query letter, nor any explanation as to the delay in response.

This constitutes an ongoing breach by HAO of Listing Rule 18.7.

### **The failure to respond to ASX's direction to remove materials from your website**

In accordance with Listing Rule 18.8, and to ensure compliance with Listing Rule 15.7 (quoted above), ASX directed HAO in its 26 October query letter to remove the 16 and 18 October announcements from its website on the basis that it had not received the required acknowledgement from ASX that ASX had released those announcements to the market.

HAO initially complied with this direction but subsequently reinstated the releases to its website.

Having discovered this, ASX again asked HAO in its first of three letters to HAO dated 3 November to remove the 16 and 18 October announcements from its website, commenting that their reinstatement constituted "a flagrant and wilful breach" of HAO's obligations under Listing Rules 5.6, 5.7, 15.7 and 18.8.

On that same day, HAO instead chose to compound this breach by adding to its website its quarterly activities report and annual report, which included similar material to the 16 and 18 October announcements without the information required by Listing Rules 5.6 and 5.7 and without the acknowledgement required under Listing Rule 15.7 that these documents had been released to the market. By a further letter dated 3 November ASX subsequently gave HAO a formal direction under Listing Rule 18.8 to remove the quarterly activities report and annual report from its website.

As at the date of writing this letter, the 16 and 18 October releases, quarterly activities report and annual report all remain on HAO's website and therefore HAO continues to be in breach of Listing Rules 5.6, 5.7, 15.7 and 18.8. Page 5 of 6

ASX does note that HAO has added a notation to the link to these documents on its website to indicate that they have not been released by ASX. This was done after ASX pointed out in its first letter to HAO dated 3 November that:

*“The fact that these notices on their face are addressed to the ASX Market Announcements Office and appear to be announcements made to ASX, when there is nothing to indicate that ASX has refused to release them for non-compliance with the Listing Rules, is quite misleading.”*

ASX wants to make it clear that the fact the links to the offending announcements on HAO’s website now have a notation added that they have not been released by ASX in no way cures the breach HAO has committed of Listing Rule 15.7 – in fact, it corroborates the breach.

**HAO will remain suspended until it corrects its breaches of the Listing Rules**

ASX regrets that it has had to suspend trading in HAO’s shares. However, the actions of HAO and its directors have left ASX with no other alternative.

As ASX pointed out in its 30 October letter:

*“The requirements in Listing Rules 5.6 and 5.7 are long standing and important protections for investors and ASX takes compliance with them very seriously. They trace their roots back to the highly speculative and damaging trading that occurred in the late 60s and early 70s in Poseidon Nickel and are intended to prevent a re-occurrence.”*

ASX cannot have HAO publish announcements that do not include the information required, and that HAO’s shareholders and the market are entitled to expect, under Listing Rules 5.6 and 5.7 and allow trading in HAO’s shares to take place on the basis of incomplete and inadequate information.

Trading in HAO’s shares will therefore remain suspended until HAO has taken the following action to correct all of the breaches of the Listing Rules identified above to ASX’s satisfaction:

1. Withdraw the 16 and 18 October releases, remove them from its website and replace them with an announcement that complies with Listing Rules 5.6 and 5.7;
2. Withdraw its last quarterly report, remove it from its website and replace it with a quarterly report that complies with Listing Rules 5.6 and 5.7;
3. Publish an addendum to its annual report on its website (noting that this document has now been released to shareholders and therefore cannot be withdrawn) retracting the non-JORC complaint sections in the annual report; and
4. Withdraw the 13 November release, remove it from its website and replace it with an announcement that complies with Listing Rules 5.6 and 5.7.

ASX would be pleased to review a draft of any corrective materials HAO proposes to publish to assist HAO in meeting the requirements of the Listing Rules.

**HAO will be removed from the official list if it does not correct its breaches of the Listing Rules**

HAO has now published 5 documents on its website (its 16 and 18 October releases, quarterly activities report, annual report and 13 November release) on 4 separate dates where ASX has advised HAO that:

☐ the documents materially breach the Listing Rules and ASX has therefore refused to release them to the market; and

□ the act of HAO publishing the documents on its website in these circumstances is itself a breach of the Listing Rules.

ASX cannot allow a situation where a listed company wilfully and repeatedly breaches the Listing Rules in this way.

Listing Rule 17.12 provides that ASX may at any time remove an entity from the official list if, in ASX's opinion, the entity is unable or unwilling to comply with, or breaks, a Listing Rule.

ASX gives HAO notice that if HAO has not taken the action described above to correct all of the breaches of the Listing Rules identified in this letter by the close of business on Wednesday 31 January 2018, ASX will remove HAO from the official list under Listing Rule 17.12.

ASX considers that the 31 January 2018 deadline should give HAO more than ample time to complete the necessary corrective action. However, if HAO believes that it may need more time to complete the corrective action, please let ASX know and, provided ASX is satisfied that HAO genuinely intends to correct its breaches, ASX will consider extending this deadline.

**HAO will be removed from the official list if it commits any further material breaches**

It would be unacceptable to ASX if HAO were to continue to flout the Listing Rules by publishing information about exploration results on its website that is intended for release to the market but which ASX has refused to release to the market for material non-compliance with the Listing Rules.

HAO's publication of the 13 November release on its website must be the last instance of this occurring.

ASX puts HAO on notice that if HAO publishes any further material announcement with information about exploration results (whether on its website or elsewhere) that is intended for release to the market and that ASX has refused to release to the market for material non-compliance with the Listing Rules, ASX will immediately remove HAO from the official list under Listing Rule 17.12.

**ASX may release this letter to the market**

ASX reserves the right under Listing Rule 18.7A to release a copy of this letter to the market so that the market is informed about the reasons for HAO's continuing suspension and any subsequent action ASX may take to enforce its Listing Rules.

Yours sincerely

Kevin Lewis

Chief Compliance Officer, ASX Limited

Regards

Kevin Lewis | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

Thank you.

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Monday, 6 November 2017 6:19 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>

**Subject:** RE: Haoma Mining website updates Monday November 6, 2017

Dear Mr Lewis,

We refer to your email of 5.05pm today.

As requested, we have updated the Letter to Shareholders published on our website to include other information requirements. A copy is attached.

To be fully transparent about what is required for the removal of suspension, we have added the full chain of correspondence between Haoma and ASX commencing with the letter by Haoma to ASX dated November 1, 2017 and sent at 1.35pm that day.

Yours sincerely

**Jim Wallace**  
**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Monday, 6 November 2017 5:05 PM

**To:** Jim Wallace; John Johansson

**Cc:** James Gerraty; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram; Peter Cole; Peter Scales (Melb Uni)

**Subject:** RE: Haoma Mining website updates Monday November 6, 2017

Dear Mr Wallace

With reference to the letter HAO has today published on its website, just to be clear and to repeat what has been said in earlier correspondence, the reasons for ASX suspending quotation of HAO's shares are not just its failure to include a 'competent person sign-off' on relevant announcements but also:

- its failure to provide a completed table 1 (sections 1 and 2) in breach of the JORC Code and listing rule 5.6; and
- its failure to provide the other information required in an announcement of exploration results for a material mining project under listing rule 5.7.

Please correct that letter accordingly.

Further, ASX notes HAO has attached to the letter published on its website today the third of our letters dated 3 November sent at 7.52 pm and said that this ASX letter advises "why [HAO's] announcements have not been released". Our third letter on 3 November was a direct response to Mr Morgan's 6.03 pm letter and it does not in fact fully set out the reasons why ASX has declined to release HAO's announcements. To do this, HAO should have attached the first of our letters on 3 November sent at 10.39 am.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Monday, 6 November 2017 2:43 PM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>  
**Subject:** Haoma Mining website updates Monday November 6, 2017

Hi John

Haoma Mining has today made the following updates to the 'Announcements' section of its website:

- Documents published on the website but not released by ASX are identified in the announcement title
- Added a letter to Haoma shareholders explaining why Haoma's shares remain suspended from trading.

Regards

**Jim Wallace**  
**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** [Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)

**Sent:** 3 November 2017 7:52 PM

**To:** [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

**Cc:** [David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au); [James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au); [James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au); [John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au); [Chris.Hesford@asx.com.au](mailto:Chris.Hesford@asx.com.au); [Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au); [Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com); [Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com); [haoma2@bigpond.com](mailto:haoma2@bigpond.com); [peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au); [Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)

**Subject:** RE: Gary Morgan, Chairman Haoma Mining reply to ASX letter of 3.10pm, November 3, 2017

Dear Mr Morgan

Please see attached my further letter responding to the one below.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

3 November 2017

Mr Gary Morgan

Chairman of Directors

Haoma Mining NL

401 Collins Street

Melbourne VIC 3000

By email: [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

Dear Mr Morgan

**Haoma Mining NL ("HAO") – ongoing ASX enquiries**

ASX is in receipt of your further letter dated 3 November received at 6.03 pm this evening.

Suspending a company's shares from trading is not a step that ASX takes lightly. HAO's suspension is a direct result of it attempting to release to the market on 16 October information about exploration results that did not comply with Listing Rules 5.6 and 5.7.

As we explained in our 30 October letter:

"The requirements in Listing Rules 5.6 and 5.7 are long standing and important protections for investors and ASX takes compliance with them very seriously. They trace their roots back to the highly speculative and damaging trading that occurred in the late 60s and early 70s in Poseidon Nickel and are intended to prevent a re-occurrence."

The draft announcement that HAO attempted to release on MAP on 16 October appeared to ASX not to meet the requirements of Listing Rules 5.6 and 5.7. Given that, ASX appropriately declined to publish it to the market and suspended trading in HAO's shares.

The way in which HAO has approached this matter since then has not helped its cause to have the suspension lifted. Having been told of the non-compliance of its original 16 October announcement, HAO has attempted to release essentially the same information on three further occasions (in its 18 October announcement, its quarterly activities report and its annual report). Additionally, it has placed information on its website intended for release to the market before ASX released it on the market announcements platform, in breach of Listing Rule 15.6, and not complied with ASX's directions to remove that material from its website, in breach of Listing Rule 18.8.

Your further letter this evening does not advance matters. In particular, the basis for, and the purpose you seek to serve with, the statement in your letter that: "Whilst we note the ASX's view about whether JORC covers nuggets discovered by metal detectors, you do not state your position is unequivocal" is unclear. ASX's position is not equivocal. In our earlier letter today we stated explicitly that ASX did not agree with your statement that the JORC Code does not cover the discovery of gold nuggets from sampling by metal detectors and that:

“ASX’s view (which it has re-confirmed with executive members of the JORC Committee) is that the type of information HAO has attempted to release in its 16 and 18 October announcements, its most recent quarterly activities report and now its annual report **clearly constitutes** “explorations results”, as defined in the JORC Code. **Those documents must therefore include the information required under Listing Rules 5.6 and 5.7.**” [emphasis added]

As to your suggested way forward of publishing all of the correspondence between HAO and ASX on these matters, that of course would involve ASX allowing HAO to publish to the market the very information to which ASX has taken objection because it does not accord with the Listing Rules. The act of releasing that correspondence will not cure HAO’s non-compliance with the Listing Rules and therefore will not result in HAO’s suspension being lifted.

As we said in our first letter dated today, if HAO’s position is that it is not able to include in its announcements the information required, and that its shareholders and the market are entitled to expect, under the Listing Rules, ASX is happy to have a conference call to discuss an alternative way forward. However, you should appreciate that this alternative way forward cannot, and will not, involve HAO releasing information about explorations results that does not comply with Listing Rules 5.6 and 5.7.

Accordingly, and as advised previously, trading in HAO’s shares will remain suspended until HAO provides satisfactory answers to the questions in ASX’s 26 October query letter.

ASX reserves the right under Listing Rule 18.7A to release a copy of this letter, as well as its two letters earlier today, to the market so that the market is informed about the reasons for HAO’s continuing suspension.

Yours sincerely

Kevin Lewis

Chief Compliance Officer, ASX Limited

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Friday, 3 November 2017 6:03 PM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** David Barnett <[David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; James Rowe <[James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Chris Hesford <[Chris.Hesford@asx.com.au](mailto:Chris.Hesford@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>

**Subject:** Gary Morgan, Chairman Haoma Mining reply to ASX letter of 3.10pm, November 3, 2017

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

**t:** +61 2 9227 0771 | **m:** +61 414 593 948 | **e:** [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | **f:** +61 2 9227 0440

**w:** [www.asx.com.au](http://www.asx.com.au)

Dear Sir,

Attached is our reply to your letter to Haoma Mining sent at 3.10pm this afternoon.

Yours sincerely.

Gary Morgan



# Haoma Mining NL

A.B.N 12 008 676 177

**Registered Office & Head Office:**

Tonic House, 386 Flinders Lane, Melbourne, Vic., 3000, GPO Box 2282U, Melbourne, Vic., 3001.

Telephone (03) 9629 6888, Facsimile (03) 9629 1250

Email: [haoma@roymorgan.com](mailto:haoma@roymorgan.com) Website: [www.haoma.com.au](http://www.haoma.com.au)

November 3, 2017

Mr Kevin Lewis  
Chief Compliance Officer  
ASX Compliance Pty Ltd  
20 Bridge Street  
**SYDNEY NSW 2000**

Dear Sir,

**Dispute between Haoma Mining NL and the ASX**

We are in receipt of, and refer to, your reply to our letter of November 3, 2017.

Haoma Directors believe your decision not to reinstate Haoma on the ASX is to the detriment of not just Haoma shareholders, but also shareholders of other companies who hold tenements near Haoma.

On October 16, 2017 Haoma Directors believed their responsibility was to immediately release information regarding the discovery (for the first time) of a large number of "... flat – watermelon 'seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar" – watermelon 'seed-like' nuggets similar to those found by Novo about 300km from Marble Bar.

So the ASX market is fully informed about this significant discovery, we suggest a way forward is for the ASX to publish all correspondence (see attached), as you have suggested. Haoma will also place the correspondence on Haoma's web site and Haoma's ASX site.

Whilst we note the ASX's view about whether JORC covers nuggets discovered by metal detectors, you do not state that your position is unequivocal.

If you wish to discuss this further, we are pleased to discuss our respective positions and the way forward by telephone on Monday

Yours sincerely

**Gary C Morgan**  
CHAIRMAN



**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Friday, 3 November 2017 3:10 PM

**To:** Gary Morgan

**Cc:** David Barnett; James Gerraty; James Rowe; John Johansson; Chris Hesford; Matthew Gibbs; Michele Levine; Tim Ingram; Peter Cole; Peter Scales (Melb Uni); Jim Wallace

**Subject:** RE: Haoma Mining November 1, 2017 letter to ASX and September Quarter Activities Report

Dear Mr Morgan

Attached is my reply.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

3 November 2017

Mr Gary Morgan

Chairman of Directors

Haoma Mining NL

401 Collins Street

Melbourne VIC 3000

By email: [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

Dear Mr Morgan

**Haoma Mining NL (“HAO”) – ongoing ASX enquiries**

I refer to your letter dated 3 November claiming that “[the] JORC Code does not cover the discovery of [gold] nuggets from sampling by metal detectors”.

ASX does not agree. ASX’s view (which it has re-confirmed with executive members of the JORC Committee) is that the type of information HAO has attempted to release in its 16 and 18 October announcements, its most recent quarterly activities report and now its annual report clearly constitutes “explorations results”, as defined in the JORC Code. Those documents must therefore include the information required under Listing Rules 5.6 and 5.7.

As to your suggestion that HAO will comply with ASX’s direction to remove the relevant announcements from its website only if “ASX agrees to indemnify HAO and its Directors and Officers, on a full indemnity basis, in respect of all and any claims against it or them arising from any person suffering loss or damage as a result of the person not being provided with information about the significant gold nugget discoveries on [HAO’s] tenements”, ASX will not grant such an indemnity.

I repeat what I said in my letter of 30 October:

“ASX is **not** asking HAO to withhold information from its shareholders. Rather, ASX is asking HAO to include in its announcements on these matters the information required to be included, and that HAO’s shareholders and the market are entitled to expect, under the Listing Rules, including in particular Listing Rules 5.6 and 5.7.”

To protect HAO’s shareholders and other market participants from trading on a basis that is not properly informed (which coincidentally will help protect HAO and its directors and officers from potential legal action in that regard), trading in HAO’s shares will remain suspended until HAO provides satisfactory answers to the questions in ASX’s 26 October query letter.

Finally I pointed out to you in my letter this morning that the act of HAO reinstating the 16 and 18 October announcements on its website after initially acceding to ASX's direction to take them down was a flagrant and wilful breach of HAO's obligations under Listing Rule 5.6, 5.7, 15.6 and 18.8. HAO has now chosen to compound this by breach by adding to its website its quarterly activities report and annual report without the information required by Listing Rules 5.6 and 5.7 and without an acknowledgement under Listing Page 2 of 2

Rule 15.6 that these documents have been released to the market. ASX today has given HAO a further direction under Listing Rule 18.8 to remove the quarterly activities report and annual report from its website. Please comply with ASX's directions forthwith or else you will leave ASX no choice but to take further action to enforce its rules.

ASX reserves the right under Listing Rule 18.7A to release a copy of this letter, as well as my letter earlier today, to the market so that the market is informed about the reasons for HAO's continuing suspension.

Yours sincerely

Kevin Lewis

Chief Compliance Officer, ASX Limited

--

**From:** Jim Wallace

**Sent:** Friday, 3 November 2017 12:17 PM

**To:** 'John Johansson'

**Cc:** Kevin Lewis; James Gerraty; Matthew Gibbs; Gary Morgan; Michele Levine; Tim Ingram; Peter Cole; Peter Scales (Melb Uni)

**Subject:** RE: Haoma Mining November 1, 2017 letter to ASX and September Quarter Activities Report

Hi John

Thank-you for your email.

I see that you were copied on Haoma's response today to Mr Kevin Lewis' letter of today regarding the ongoing discussions for Haoma's reinstatement.

For completeness I have attached that correspondence.

Regards

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** Gary Morgan [<mailto:gary.morgan@roymorgan.com>]

**Sent:** Friday, 3 November 2017 11:59 AM

**To:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>

**Cc:** David Barnett <[David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; James Rowe <[James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au)>; John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; Chris Hesford <[Chris.Hesford@asx.com.au](mailto:Chris.Hesford@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>; Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; Michele Levine <[Michele.Levine@roymorgan.com](mailto:Michele.Levine@roymorgan.com)>; Tim Ingram <[Tim.Ingram@roymorgan.com](mailto:Tim.Ingram@roymorgan.com)>; Peter Cole <[haoma2@bigpond.com](mailto:haoma2@bigpond.com)>; Peter Scales (Melb Uni) <[peterjs@unimelb.edu.au](mailto:peterjs@unimelb.edu.au)>; Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>

**Subject:** FW: Haoma Mining November 1, 2017 letter to ASX and September Quarter Activities Report

Dear Mr Lewis

Attached is our reply to your letter of today, November 3, 2017.

Yours sincerely

Gary Morgan

Chairman

Haoma Mining NL



# Haoma Mining NL

A.B.N 12 008 676 177

**Registered Office & Head Office:**

Tonic House, 386 Flinders Lane, Melbourne, Vic., 3000, GPO Box 2282U, Melbourne, Vic., 3001.  
Telephone (03) 9629 6888, Facsimile (03) 9629 1250  
Email: [haoma@roymorgan.com](mailto:haoma@roymorgan.com) Website: [www.haoma.com.au](http://www.haoma.com.au)

November 3, 2017

Mr Kevin Lewis  
Chief Compliance Officer  
ASX Compliance Pty Ltd  
20 Bridge Street  
**SYDNEY NSW 2000**

Dear Sir,

**Haoma Mining NL**

We refer to your letter dated November 3, 2017

We are advised that JORC does not cover the discovery of nuggets from sampling by metal detectors.

The Directors of Haoma will comply with the ASX's direction, and remove the 16 and 18 October 2017 announcements from the HAO website, if the ASX agrees to indemnify Haoma Mining NL and its Directors and Officers, on a full indemnity basis, in respect of all and any claims against it or them arising from any person suffering loss or damage as a result of the person not being provided with information about the significant gold nugget discoveries on Haoma's tenements.

Please confirm that an authorised officer of the ASX will agree to execute this indemnity on behalf of the ASX.

Yours sincerely

**Gary C Morgan**  
CHAIRMAN

**From:** Kevin Lewis [<mailto:Kevin.Lewis@asx.com.au>]

**Sent:** Friday, 3 November 2017 10:39 AM

**To:** Gary Morgan; Jim Wallace

**Cc:** David Barnett; James Gerraty; James Rowe; John Johansson; Chris Hesford; Matthew Gibbs

**Subject:** RE: Haoma Mining November 1, 2017 letter to ASX and September Quarter Activities Report

Dear Mr Morgan and Mr Wallace

Please see attached my letter responding to Mr Morgan's 1 November letter attached to the email below.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

3 November 2017

Mr Gary Morgan

Chairman of Directors

Haoma Mining NL

401 Collins Street

Melbourne VIC 3000

By email: [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

Dear Mr Morgan

**Haoma Mining NL ("HAO") – ongoing ASX enquiries**

I refer to your letter dated 1 November requesting that HAO's shares be reinstated to trading on ASX and attaching HAO's activities report for the quarter ended 30 September 2017 (the "Activities Report") for release to the market.

It would appear to ASX that HAO is endeavouring to release through its Activities Report essentially the same information as it attempted to release in its 16 and 18 October 2017 announcements without the required Table 1 (Sections 1 & 2) or competent person sign off. ASX cannot allow this and so your Activities Report will not be released to the market in its current form.

You assert in your letter that the information HAO attempted to release in its 16 and 18 October announcements, and is now seeking to release in its Activities Report, is "similar to" that recently published by ARV, DEG and NVO. We assume that you are referencing the announcements by ARV on 23 October (as amended on 2 November), by DEG on 30 October and by NVO on 17 October 2017 (which makes reference to the discovery of gold nuggets announced by NVO on 12 July and 8 August 2017).

With respect, the information HAO has attempted to release to the market is not comparable to that released by ARV and DEG. In particular:

☐ ARV's and DEG's announcements included a completed JORC Code Table 1 (sections 1 and 2) and the information required under Listing Rule 5.7 – HAO's attempted announcements do not.

☐ ARV's and DEG's announcements were based on the work of, and signed off by, a 'competent person', as defined in the JORC Code (see below) – it is not apparent from HAO's attempted announcements that HAO has met these requirements.

NVO is a Toronto listed entity and subject to a different regulatory regime, and so its situation is not directly comparable to HAO. Nevertheless, NVO did include in its announcement a sign-off from a 'qualified person', the Canadian equivalent of a competent person.

I note the statement in your letter that the Activities Report has been prepared by yourself and Messrs Levine, Scales and Cole and that your and their qualifications are stated in the report. In the context of our earlier correspondence, we take this perhaps to suggest that you believe that you and they are 'competent persons' and entitled as such to sign off on the information in the Activities Report. If that is correct, that reveals a misunderstanding of the JORC Code. Page 2 of 3

The JORC Code (clause 11) defines a 'competent person' as:

"a minerals industry professional who is a Member or Fellow of The Australasian Institute of Mining and Metallurgy, or of the Australian Institute of Geoscientists, or of a 'Recognised Professional Organisation' (RPO), as included in a list available on the JORC and ASX websites...

A Competent Person must have a minimum of five years relevant experience in the style of mineralisation or type of deposit under consideration and in the activity which that person is undertaking.

If the Competent Person is preparing documentation on Exploration Results, the relevant experience must be in exploration..."

From what we can glean from the information in the Activities Report, Mr Cole may well be qualified to be a competent person for the purposes of the JORC Code (although it is not clear from that document that he meets all of the requirements above). If he is, he should be familiar with the requirements of the JORC Code, including the requirement in clause 9 for a report of exploration results to be based on, and fairly reflect the information and supporting documentation prepared by, a competent person or persons and for the report to be issued with the prior written consent of the competent person or persons as to the form and context in which it appears.

I also note the comment in your email to ASX accompanying the 18 October attempted announcement, repeated in the Activities Report, that: "It is also not possible to provide a JORC statement simply around gold nuggets."

Neither ARV nor DEG appeared to have any difficulty doing this (nor did MAU in its announcement dated 2 November or G88 in its announcement dated 13 September).

If HAO's position is that it is not able to include in its announcements the information required, and that its shareholders and the market are entitled to expect, under the Listing Rules, then I suggest that we arrange a time for a conference call to discuss an alternative way forward.

In the meantime, ASX considers it appropriate that HAO remain suspended until it provides satisfactory answers to the questions in ASX's 26 October query letter. Accordingly, ASX declines your request for reinstatement.

Finally I note that HAO was directed by ASX on 26 October to remove the offending 16 and 18 October announcements from its website. HAO appeared initially to accede to this direction but the offending announcements were restored to the website at some point thereafter. ASX has directed HAO again on 1 November to remove these announcements from its website but at the time of writing they still remain on the website. This is a flagrant and wilful breach of HAO's obligations under Listing Rule 5.6, 5.7, 15.6 and 18.8. The fact that these notices on their face are addressed to the ASX Market Announcements Office and appear to be announcements made to ASX, when there is nothing to indicate that ASX has refused to release them for non-compliance with the Listing Rules, is quite misleading. Page 3 of 3

Please comply with ASX's direction and remove the 16 and 18 October announcements from the HAO website forthwith or else you will leave ASX no choice but to take further action to enforce its rules.

Yours sincerely

Kevin Lewis

Chief Compliance Officer, ASX Limited

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Friday, 3 November 2017 11:58 AM

**To:** Jim Wallace

**Cc:** Kevin Lewis; James Gerraty; Matthew Gibbs

**Subject:** RE: Haoma Mining November 1, 2017 letter to ASX and September Quarter Activities Report

Hi Jim,

We note that HAO has put up the September Quarter Activities Report on its website along with its 2017 Annual Report and Notice of meeting.

We also note that the 16 and 18 October 2017 announcements are still up on the website.

As previously noted in our letter dated 26 October 2017, we asked them to be removed. We also ask HAO to remove the September Quarter Activities Report and the 2017 Annual report since they have not been released on ASX Online.

Question: has the 2017 Annual report been dispatched and if so, to whom? If it has not been dispatched, hold off from doing so since it has not been released on ASX Online.

I will shortly release the Notice of meeting and the Appendix 4G on ASX Online.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Wednesday, 1 November 2017 1:35 PM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>; Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>

**Subject:** Haoma Mining November 1, 2017 letter to ASX and September Quarter Activities Report

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd

Level 4 North Tower Rialto

525 Collins Street Melbourne VIC

Dear John



Attached herewith is a letter to the ASX from Haoma's Chairman, Gary Morgan.  
Also attached is the Haoma Mining September Quarter Activities Report as referenced in that letter.

Yours sincerely

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)



# Haoma Mining NL

A.B.N 12 008 676 177

**Registered Office & Head Office:**

Tonic House, 386 Flinders Lane, Melbourne, Vic., 3000, GPO Box 2282U, Melbourne, Vic., 3001.  
Telephone (03) 9629 6888, Facsimile (03) 9629 1250  
Email: [haoma@roymorgan.com](mailto:haoma@roymorgan.com) Website: [www.haoma.com.au](http://www.haoma.com.au)

November 1, 2017

Mr John Johansson  
Senior Adviser, Listings Compliance  
ASX Compliance Pty Ltd  
Level 4 North Tower Rialto  
525 Collins Street  
**MELBOURNE VIC**

Dear Sir,

**Request for resumption of trading in Haoma Mining NL shares**

The Directors of Haoma request the ASX remove the suspension of trading in Haoma Mining securities.

Attached is Haoma's September Quarter Activities Report.

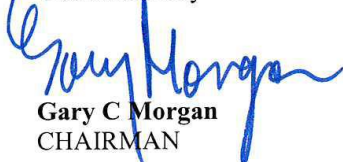
It has been prepared by Gary Morgan, Michele Levine, Professor Peter Scales and Peter Cole.  
The qualifications of each person are detailed in Haoma's attached report.

The current 'gold rush' in the Pilbara is the result of the ASX publishing announcements involving gold nugget discoveries by a number of companies including Artemis Resources (ASX: ARV) and Novo Resources (TSX-V: NVO) and by De Grey Mining (ASX: DEG). The gold nugget information published by those companies is similar to that reported by Haoma in relation to gold nuggets in Conglomerate Formations near Marble Bar.

Over the last 2 weeks Haoma has had approaches for Joint Venture participation with Haoma's gold tenements in the Eastern Pilbara. In addition there have been requests for Haoma share placements.

However, because Haoma is suspended and the last recorded share price was 23 cents, it is impossible to negotiate a commercially favorable outcome for Haoma shareholders.

Yours sincerely



**Gary C Morgan**  
CHAIRMAN

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]  
**Sent:** Wednesday, 1 November 2017 12:40 PM  
**To:** Jim Wallace  
**Cc:** Kevin Lewis; James Gerraty; Matthew Gibbs  
**Subject:** HAO's 16 and 18 October 2017 website announcements

Hi Jim,

We note that the 16 and 18 October 2017 announcements are still live on HAO's website. As per our letter dated 26 October 2017:

*"In accordance with Listing Rule 18.8, and to ensure compliance with Listing Rule 15.7, ASX hereby requires  
HAO to remove forthwith from its website the 16 October and 18 October Releases on the basis that it  
has  
not received an acknowledgement from ASX that ASX has released these announcements to the  
market,  
and to confirm to ASX when that has been done."*

Please let me know if you have any questions.

Regards,

**John Johansson**  
Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

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----- Original message -----

From: Kevin Lewis <[Kevin.Lewis@asx.com.au](mailto:Kevin.Lewis@asx.com.au)>  
Date: 30/10/2017 6:46 PM (GMT+10:00)  
To: Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>, Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>  
Cc: David Barnett <[David.Barnett@asx.com.au](mailto:David.Barnett@asx.com.au)>, James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>, James Rowe <[James.Rowe@asx.com.au](mailto:James.Rowe@asx.com.au)>, John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>, Chris Hesford <[Chris.Hesford@asx.com.au](mailto:Chris.Hesford@asx.com.au)>, Matthew Gibbs <[Matthew.Gibbs@asx.com.au](mailto:Matthew.Gibbs@asx.com.au)>  
Subject: RE: Letter from Haoma Chairman Mr Gary Morgan to ASX Chairman, Mr Rick Holliday-Smith

Dear Mr Morgan and Mr Wallace

Please see attached my letter responding to the communication below.

Regards

**Kevin Lewis** | Chief Compliance Officer

ASX Compliance | 20 Bridge Street | Sydney NSW 2000

t: +61 2 9227 0771 | m: +61 414 593 948 | e: [kevin.lewis@asx.com.au](mailto:kevin.lewis@asx.com.au) | f: +61 2 9227 0440

w: [www.asx.com.au](http://www.asx.com.au)



*Please consider the environment before printing this email*

30 October 2017

Mr Gary Morgan

Chairman of Directors

Haoma Mining NL

401 Collins Street

Melbourne VIC 3000

By email: [gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)

Dear Mr Morgan

**Haoma Mining NL (“HAO”) – ongoing ASX enquiries**

I refer to your letter today to the Chairman of ASX Limited (“ASX”) Mr Rick Holliday-Smith. Your letter has been passed on to me, in my capacity as ASX’s Chief Compliance Officer, for a response.

In your letter you state:

*“Haoma’s directors considered the finding of a large number of nuggets in a Comet Mine Conglomerate formation was of significance and shareholders had to be informed. Therefore results with photos were released to the ASX on Monday October 16, 2017 – before share trading began at 10am.*

*To withhold [that] information would have resulted in the Directors being liable for future prosecution by ASIC and Haoma shareholders. ...*

*Haoma’s Directors have never and will never withhold shareholder information. We believe the ASX has no right to ask Haoma’s Directors to withhold significant information from shareholders.”*

**Background**

The background to your letter is that on 16 October, HAO attempted to release on the ASX Market Announcements Platform (“MAP”) an announcement about the discovery of gold nuggets in the Comet Mine Conglomerate formation. ASX withheld the announcement from release for apparent non-compliance with the Listing Rules and suspended trading in HAO’s shares pending clarification of queries raised by ASX in relation to the announcement.

ASX sent an email to your company secretary on 16 October explaining the reasons for not releasing the announcement and highlighting the areas that needed to be addressed to comply with the Listing Rules.

On 18 October, HAO attempted to release a further announcement on the same matter, which ASX also withheld from release because it did not adequately address the issues identified in our 16 October email.

Having reached an apparent impasse with HAO, ASX subsequently sent a detailed query letter to HAO on 26 October about the attempted 16 and 18 October announcements, asking questions to address the areas of potential non-compliance with the Listing Rules. Page 2 of 3

### **The information required to be released**

Contrary to the statement in your letter, ASX is **not** asking HAO to withhold information from its shareholders. Rather, ASX is asking HAO to include in its announcements on these matters the information required to be included, and that HAO's shareholders and the market are entitled to expect, under the Listing Rules, including in particular Listing Rules 5.6 and 5.7.

Listing Rule 5.6 requires a public report prepared by an entity that includes a statement of exploration results to be prepared in accordance with the Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves (JORC Code), including in particular, clauses 9, 10, 11, 18 and 19 of that Code. If the announcement relates to a material mining project, it must also comply with Listing Rule 5.7.

Among other things, these require the production of a 'Table 1' addressing each of the criteria in sections 1 and 2 of that table on an 'if not why not' basis and various other information about the discovery (including information about sampling techniques, logging, location of data points, discussion of geological context and planned further work). The Table 1 must be based on and fairly reflect the work of a named 'competent person'.

The requirements in Listing Rules 5.6 and 5.7 are long standing and important protections for investors and ASX takes compliance with them very seriously. They trace their roots back to the highly speculative and damaging trading that occurred in the late 60s and early 70s in Poseidon Nickel and are intended to prevent a re-occurrence.

The draft announcements that HAO attempted to release on MAP on 16 and 18 October appeared to ASX not to meet the requirements of Listing Rules 5.6 and 5.7. Given that, ASX appropriately declined to publish them to the market and suspended trading in HAO's shares.

I note that despite this, and in apparent disregard of its obligations under Listing Rule 15.7 (which requires a listed entity not to release information that is for release to the market to any person until it has received an acknowledgment from ASX that the information has been released to the market), HAO chose to put the 16 and 18 October announcements on the "Announcements" page of its website. The announcements published on HAO's website had the appearance of actual market announcements, including being addressed to ASX, but there was no reference to the fact that ASX had declined to release them to the market for non-compliance with the Listing Rules. The inappropriateness of this should be self-evident. Suffice to say, ASX directed HAO to withdraw the 16 and 18 October announcements from its website, which HAO has now done (although, as at the time of writing this letter, broken links to the announcements still appear in the list of announcements on HAO's Announcements page).

### **Reconciling HAO's obligation to release information immediately**

The passages quoted from your letter above appear to argue that HAO is excused from compliance with Listing Rules 5.6 and 5.7 because it had an obligation under Listing Rule 3.1 to release the information included in its attempted 16 and 18 October market announcements "immediately". ASX does not agree. The interaction between Chapter 5 and Listing Rule 3.1 is explained in section 9 of ASX Listing Rule Guidance Note 31 *Reporting on Mining Activities*. It states:

*"The reporting requirements for mining activities in Chapter 5 are an adjunct to, and operate in tandem with, the reporting and disclosure requirements in Chapter 3 (continuous disclosure) and Chapter 4 (periodic disclosure) of the Listing Rules.*

***For example, where an entity is required to disclose market sensitive information involving mining activities to ASX under Listing Rule 3.1, the information disclosed must comply not only with that rule but also with any applicable requirements in Chapter 5.***

*It should be noted that information required to be disclosed under Listing Rule 3.1 must be disclosed immediately. ASX has given guidance in Guidance Note 8: Continuous Disclosure: Listing Rules 3.1 – 3.1B that: “Immediately” does not mean “instantaneously”, but rather “promptly and without delay”.*

*ASX recognises that the speed with which an entity can disclose information under Listing Rule 3.1 will vary, depending on factors such as where and when the information originated, the forewarning (if any) the entity had of the information, the amount and complexity of the information concerned, the need in some cases to verify the accuracy or bona fides of the information, and (importantly in this context):*

*“the need in some cases to comply with specific legal and Listing Rule requirements, such as the requirement for an announcement that relates to mining or oil and gas activities to comply with Chapter 5 of the Listing Rules.”*

*ASX will take these factors into account, as well as whether or not the entity has promptly requested a trading halt to minimise the period that the market is trading on an uninformed basis, in assessing whether an entity has complied with its obligation to disclose information in a timely manner under Listing Rule 3.1.*

*All other things being equal, ASX considers that the requirement for an entity to disclose market sensitive information about a mining activity under Listing Rule 3.1, which is also subject to the reporting requirements in Chapter 5, will generally only be triggered when the entity is in possession of all of the information that it is required to include in a market announcement about that activity under Chapter 5. Prior to it having all of that information, ASX considers that whatever market sensitive information it may have about the activity will generally be insufficiently definite to warrant disclosure. Therefore, provided the market sensitive information is and remains confidential, ASX has not formed the view that it has ceased to be confidential, and a reasonable person would not otherwise expect it to be disclosed, it will generally fall within the carve-out to immediate disclosure in Listing Rule 3.1A.*

If what motivated the HAO board to attempt to release the 16 October announcement so quickly and without the information required under Listing Rules 5.6 and 5.7 was a concern that trading in HAO shares might otherwise occur on an uninformed basis, then well-known and well-tried mechanisms were available to HAO to prevent this occurring – ie requesting a trading halt or voluntary suspension to afford the time needed to make a proper and complete announcement of the information required under the Listing Rules. As is appropriate in the circumstances, HAO will remain suspended until it provides a satisfactory response to ASX’s 26 October query letter.

Finally, I note the statement in your letter today that you intend to release copies of HAO’s correspondence with ASX on these matters. ASX will not be deterred by this from enforcing HAO’s compliance with the Listing Rules and reserves the right to release a copy of this letter to ensure the public record is complete.

Yours sincerely

Kevin Lewis

Chief Compliance Officer, ASX Limited

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Monday, 30 October 2017 10:47 AM

**To:** Jim Wallace; James Gerraty

**Subject:** RE: Letter from Haoma Chairman Mr Gary Morgan to ASX Chairman, Mr Rick Holliday-Smith

Hi Jim,

Thanks for your email.

I will review and get back to you.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Monday, 30 October 2017 9:59 AM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>

**Subject:** Letter from Haoma Chairman Mr Gary Morgan to ASX Chairman, Mr Rick Holliday-Smith

October 30, 2017

John Johansson

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd

Level 4 North Tower Rialto

525 Collins Street Melbourne VIC

Dear John,

Please refer to the attached documents comprising a letter with 3 attachments as follows:

- Letter from Haoma Mining Chairman, Gary Morgan, to Chairman of ASX, Mr Rick Holliday-Smith
- Attachment 1: BHP Minerals Report - Internal Composition of Gold Nuggets from the Comet Conglomerate, R Skrzeczynski, August 8, 1996
- Attachment 2: Stubbs 1992-93 & 1993-94 Comet Mine Exploration Reports (WAMEX, the Mines Department Index) covering conglomeration gold
- Attachment 3: Haoma Release (updated) re Pilbara Conglomerates October 16, 2017

Kind regards

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000

T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

# Haoma Mining NL

A.B.N 12 008 676 177 **Registered Office & Head Office:** Tonic House, 386 Flinders

Lane, Melbourne, Vic., 3000, GPO Box 2282U, Melbourne, Vic., 3001. Telephone (03) 9629 6888, Facsimile (03) 9629 1250 Email:

[haoma@roymorgan.com](mailto:haoma@roymorgan.com) Website: [www.haoma.com.au](http://www.haoma.com.au)

October 30, 2017 Mr Rick Holliday-Smith  
Chairman  
ASX Ltd  
20 Bridge Street  
**SYDNEY NSW 2000**

CC:

John Johansson

Senior Adviser Listings Compliance (Melbourne)

ASX Compliance Pty Ltd

Level 4 North Tower Rialto

525 Collins Street Melbourne VIC E:

[john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

Dear Sir,

The Directors of Haoma Mining are in receipt of your October 26, 2017 request to provide more information on Haoma's significant discovery of many gold nuggets in a Comet Mine Conglomerate Formation. As soon as the detailed information you have requested is available we will make a further announcement to the market via the ASX and hopefully you will release it.

However the recent 'disruptive' discoveries of many gold nuggets in Western Pilbara Conglomerate Formations are of such significance both scientifically and in terms of market potential that we believe the market needs to be kept informed even though traditional geologists have not yet come to terms with the complex science.

Haoma is being advised by Professor Peter Scales, Department of Chemical Engineering, University of Melbourne. Professor Peter Scales and others are currently determining the age of nuggets from the Comet Mine Conglomerates Formations using SEM and other specialised techniques. Early indications from this work suggest there are two different populations of nuggets within the Comet Mine Conglomerates (this was referred to by Robert Skrzeczynski, Exploration Manager Operations – Australia, BHP Minerals, in his report to Haoma in August 1996, see attached BHP Minerals Report). However we are awaiting a formal report from Professor Peter Scales.

Many Haoma shareholders and ASX investors would be aware of the recent announcements and press publicity regarding the new discoveries of significant numbers of gold nuggets in Conglomerate Formations located in the **Western Pilbara Region** of Western Australia. Following Haoma's October 5, 2017 announcement, shareholders would be aware that the major discoveries were potentially of relevance to Haoma and them as shareholders, but without further information they had no way of understanding why those **Western Pilbara Region** announcements were of significance to Haoma and many other mineral exploration companies who hold other Pilbara tenements which contain Conglomerate Formations. (Some investors may have a better understanding since reading The Weekend Australian article "*The Pilbara is a goldmine for some*" and comments by Cliff Lawrenson, CEO, Atlas Iron regarding their Pilbara tenements – some of Atlas Iron tenements are jointly held with Haoma!).

We understand and respect your request for more information. However given the speed with which Nova, Artemis and De Grey shares increased upon their announcing discovering significant numbers of gold nuggets in Conglomerate Formations, similar to nuggets found in the conglomerates on leases held by Haoma, we believed it was only right that Haoma shareholders were immediately informed.

Without Haoma's October 16, 2017 announcement, Haoma shareholders had no possible way of knowing that on Sunday October 15, 2017 Directors of Haoma Mining NL were advised that more than 100 nuggets had been found near the surface, in an area of approximately 150 meters (20-40 meters wide) of Conglomerate Formation near Comet Mine (location C2).





**Nuggets collected from area C2 – Conglomerates to the South West of the Comet Mine, total weight of nuggets 33.167g.**



**Fine gold collected in area C2 – Conglomerates to the South West of the Comet Mine, total sample weight 0.183g.**

The nuggets and some gold fines had been recovered over the previous 2 days at a shallow depth using a hammer and/or pick – not a bulldozer or other earth removing equipment. This area had previously been explored by both the Stubbs Family (previous owners of the Comet Mine, see SH&MT Stubbs 1992/93 & 1993/94 Exploration Reports: WAMEX, Mines Department Index, M8113–A39484 & 42569) and BHP Minerals on behalf of Haoma. Both reported only a small number of nuggets without finding *"a gold bearing conglomerate"*.

Haoma's directors considered the finding of a large number of nuggets in a Comet Mine Conglomerate formation was of significance and shareholders had to be informed. Therefore results

with photos were released to the ASX on Monday October 16, 2017 – before share trading began at 10am.

To withhold the information would have resulted in the Directors being liable for future prosecution by ASIC and Haoma shareholders.

As mentioned earlier we understand and respect your request for more information. However until such information is available we repeat our request that you release our October 16, 2017 announcement, perhaps you would be more comfortable to release the announcement with some form of qualification that you could record with the announcement.

As I said to John Johansson, Senior Adviser, Listings Compliance, on Friday October 27, 2017 we would at any time be pleased to discuss and address issues which concern the ASX regarding information released by Haoma.

Haoma's Directors have never and will never withhold shareholder information. We believe the ASX has no right to ask Haoma's Directors to withhold significant information from shareholders.

For complete transparency and to avoid confusion, tomorrow all correspondence with the ASX and this letter will be available on Haoma's web site.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gary Morgan', with a long horizontal flourish extending to the right.

**Gary Morgan**  
Chairman  
Haoma Mining NL

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Thursday, 26 October 2017 6:51 PM

**To:** Jim Wallace

**Subject:** RE: Haoma response to ASX email of October 19, 2017 advising that announcement will not be released

Hi Jim,

As discussed, please refer to our query letter.

Please let me know if you would like to discuss any of the content.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | john.johansson@asx.com.au

26 October 2017

Mr Jim Wallace  
Company Secretary  
Haoma Mining NL  
401 Collins Street  
Melbourne VIC 3000

By email: jim.wallace@roymorgan.com

Dear Mr Wallace

**Haoma Mining NL (“HAO”): query letter**

ASX Limited (“ASX”) refers to the following:

- A. HAO’s announcement titled *“Haoma Mining’s tenements at the Bamboo Creek Mine and Comet Mine, near Marble Bar, contain Pyritic Conglomerate Materials in the Hardey Sandstone Formations”* lodged on the ASX Market Announcements Platform (“MAP”) on 5 October 2017 (the “5 October Announcement”), disclosing among other things:

That “numerous mining companies involved in mineral exploration in the Pilbara Region of Western Australia” (including specifically Artemis Resources (“ARV”), Novo Resources (“NVO”) and De Grey Mining (“DEG”)) had recently reported *“new discoveries of Conglomerate Formations hosting gold mineralisation including nuggets.”*

*“Haoma has recently received requests to release details on their tenement holdings that contain significant quantities of Conglomerate Materials.”*

*“Those Haoma areas which contain contact zones and rock types of the Lower Proterozoic Fortescue Group include Haoma’s mining tenements at Bamboo Creek (Figure 1) and Marble Bar Comet Mine (Figure 2) which contain Conglomerate Materials in the Hardey Sandstone Formations.”*

- B. HAO’s proposed ASX announcement of 16 October 2017 released on HAO’s website but not released on MAP titled *“Haoma Mining recovers ‘flat – watermelon seed-like’ nuggets from conglomerates at the Comet Mine near Marble Bar”* (the “16 October Release”). The announcement again referenced the recent discoveries by ARV, NVO and DEG and included the following statements:

*“While the estimated age of the conglomerate material has not been determined, due to the complex structural history of the Pilbara region, shareholders were advised the conglomerate occurs near the basal contact zones of the “Lower Proterozoic Fortescue Group” which are shown on Google Earth Geology (Figure 3, 6 & 18). The Fortescue Group are known to overlie the ca 3300 to 3500Ma old Archaean basement unconformity which is evidently highly prospective for gold.*

*On October 11, 2017 Haoma commenced surface sampling of Fortescue Group type rocks at 4 locations at Bamboo Creek and 3 locations at the Comet Mine near Marble Bar. Bulk samples of*

*approximately 50kg were collected from the seven conglomerate outcrop locations (C1 to C7). Those samples are now being processed and analysed at Haoma's Bamboo Creek laboratory.*

*'Flat' gold nuggets (Figure 11) and 'fine' gold (Figure 12) were collected from the conglomerate outcrop 'C2' (Figure 8 to 10) located to the South West of the Comet Mine near Marble Bar. Other gold nuggets (Figure 16) were also collected from conglomerate outcrop 'C3' (Figure 13 to 15) located to the North West of the Comet Mine.*

*At location 'C2' a significant number of 'flat' gold nuggets (Figure 11) were collected over a 150 metre section of the strike zone which is approximately 3 kilometres long. The nuggets were collected just below the surface of the conglomerate outcrop (about 30 meters wide) which continues to the South West of the Comet Mine. Preliminary results suggest the conglomerates are auriferous and represent a highly prospective target for ongoing exploration."*

C. HAO's proposed ASX announcement of 18 October 2017 released on HAO's website but not released on MAP titled *"Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar"* (the "18 October Release"). The announcement included the following statements:

*"Flat gold nuggets were collected from the conglomerate outcrop 'C2' and located to the South West of the Comet Mine. More gold nuggets were collected from conglomerate outcrop 'C3' and located to the North West of the Comet Mine."*

D. ASX listing rule 5.6 which provides:

*"Subject to rule 5.10, a public report prepared by an entity must be prepared in accordance with rules 5.7 to 5.24 if applicable and Appendix 5A (JORC Code) if applicable if the report includes a statement relating to any of the following:*

- Exploration targets.*
- Exploration results.*
- Mineral resources or ore resources.*
- Production targets."*

E. ASX listing rule 5.7 which provides:

*"An entity publicly reporting in relation to a material mining project, either:*

*(a) exploration results for the first time; or*

*(b) any new exploration results,*

*must include all of the following information in a market announcement and give it to ASX for release to the market.*

*5.7.1 As an appendix to the market announcement, a separate report providing all information that is material to understanding the exploration results, in relation to each of the criteria in section 1 (sampling techniques and data) and section 2 (reporting of exploration results) of Table 1 in Appendix 5A (JORC Code). An entity that determines that one or more of those criteria is not material for this*

*purpose must identify each such criterion and explain why it has determined that it is not material to understanding the exploration results."*

F. Clause 9 of the JORC Code that provides:

*"A Public Report concerning a company's Exploration Targets, Exploration Results, Mineral Resources or Ore Reserves is the responsibility of the company acting through its Board of Directors. Any such report must be based on, and fairly reflect, the information and supporting documentation prepared by a Competent Person. A company issuing a Public Report shall disclose the name(s) of the Competent Person, state whether the Competent Person is a full-time employee of the company, and, if not, name the Competent Person's employer."*

G. Clause 18 of the JORC Code which defines exploration results as:

*"Exploration Results include data and information generated by mineral exploration programmes that might be of use to investors but which do not form part of a declaration of Mineral Resources or Ore Reserves."*

*Examples of Exploration Results include results of outcrop sampling, assays of drill hole intersections, geochemical results and geophysical survey results."*

H. Clause 19 of the JORC Code which defines exploration results as:

*"Public Reports of Exploration Results must contain sufficient information to allow a considered and balanced judgement of their significance. Reports must include relevant information such as exploration context, type and method of sampling, relevant sample intervals and locations, distribution, dimensions and relative location of all relevant assay data, methods of analysis, data aggregation methods, land tenure status plus information on any of the other criteria listed in Table 1 that are material to an assessment."*

I. ASX notes that the ASX listed entities referred to in the 5 October Announcement and the 16 October Release (ARV and DEG) have included the information required for reporting Exploration Results under listing rule 5.7, including sections 1 and 2 of Table 1 of the JORC Code and an appropriate Competent Person's Statement. ASX further notes the TSX-V listed entity referred to in the 5 October Announcement and the 16 October Release (NVO) included a statement prepared by a Qualified Person.

J. ASX further notes that it has not released the 16 October and 18 October Releases on MAP as they appear to ASX not to comply with the Listing Rule and JORC Code requirements mentioned above.

K. ASX Listing Rule 15.7 which provides:

*"An entity must not release information that is for release to the market to any person until it has given the information to ASX and has received an acknowledgement that ASX has released the information to the market."*

***In accordance with Listing Rule 18.8, and to ensure compliance with Listing Rule 15.7, ASX hereby requires HAO to remove forthwith from its website the 16 October and 18 October Releases on the basis that it has not received an acknowledgement from ASX that ASX has released these announcements to the market, and to confirm to ASX when that has been done.***

Further, having regard to the above, ASX asks HAO to respond separately to each of the following questions and requests for information:

1. Who made the requests referenced in the 5 October Announcement for HAO *“to release details on their tenement holdings that contain significant quantities of Conglomerate Materials”* and when, and in what form, were those requests made?



2. Does HAO consider the information or any part thereof in the 16 October Release to be Exploration Results, within the meaning of clause 18 of the JORC Code?

If the answer is “no”, please explain why HAO does not consider the results of sampling and the disclosures in the release that:

- a) ‘Flat’ gold nuggets and ‘fine’ gold collected from the conglomerate outcrop ‘C2’;
- b) Other gold nuggets were also collected from conglomerate outcrop ‘C3’;
- c) At location ‘C2’ a significant number of ‘flat’ gold nuggets were collected over a 150 metre section of the strike zone which is approximately 3 kilometres long; and
- d) Preliminary results suggest the conglomerates are auriferous and represent a highly prospective target for ongoing exploration,

does not constitute data and information generated by mineral exploration programmes that might be of use to investors but which do not form part of a declaration of Mineral Resources or Ore Reserves.

3. If the answer to question 2 above is “yes”, please provide the details of the competent person (if any) who provided the information and supporting documentation for the 16 October Release?

4. If the answer to question 2 above is “yes”, please explain why HAO has not disclosed the information required by listing rule 5.7, including a completed Table 1, in the 16 October Release?

5. In respect of the ‘flat’ gold nuggets and ‘fine’ gold collected from the conglomerate outcrop ‘C2’ and the ‘other’ gold nuggets also collected from conglomerate outcrop ‘C3’ referred to in the 16 October and 18 October Releases, please provide the following details:

- a) The location of outcrop C2, including by reference to location C2 of the figures included in the release;
- b) The location of outcrop C3, including by reference to location C3 of the figures included in the release;
- c) Sampling techniques;
- d) Logging;
- e) Sub-sampling techniques and sample preparation;
- f) Verification of sampling;
- g) Location of data points;
- h) Data spacing and distribution;
- i) Orientation of data in relation to geological structure;
- j) Sample security;
- k) Audits or reviews;
- l) Mineral tenement and land tenure status;
- m) Exploration done by other parties;
- n) Geology;

o) Other substantive exploration data; and

p) Further work.

In providing the requested details, you may find Table 1, Sections 1 & 2 of the JORC Code instructive in explaining the level and nature of the detail to be disclosed.

If HAO is not able to provide the information above, please explain why that is the case.

### **When and where to send your response**

This request is made under, and in accordance with, Listing Rule 18.7. Your statement covering points 1 to 5 above is required as soon as reasonably possible and, in any event, by not later than half an hour before the start of trading (i.e. before 9.30 a.m. AEDT) on Friday 3 November 2017.

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. Your statement should be sent to me by e-mail. 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 HAO'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 HAO'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.

If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely

*[Sent electronically without signature]*

John Johansson

Senior Adviser (Melbourne)

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Thursday, 19 October 2017 10:24 AM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>; James Gerraty <[James.Gerraty@asx.com.au](mailto:James.Gerraty@asx.com.au)>

**Subject:** Haoma response to ASX email of October 19, 2017 advising that announcement will not be released

October 19, 2017

John Johansson

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd

Level 4 North Tower Rialto

525 Collins Street Melbourne VIC

Dear John,

Thank you for your note this morning.

In view of the current impasse, Haoma will withdraw the request for ASX to release announcements dated October 16 and October 18.

Haoma requests that ASX then lift the current suspension of trading in Haoma securities.

Kind regards

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Thursday, 19 October 2017 8:41 AM

**To:** Jim Wallace

**Cc:** James Gerraty

**Subject:** RE: Haoma Mining updated announcement for release to market

Hi Jim,

Please refer to further comments below for the updated announcement dated 18 October 2017.

ASX will not release the announcement in its current form.

Nuggets are considered to be exploration results under clause 19 of the JORC code and ASX listing rule 5.7.1.

The following information should be addressed with the updated announcement:

- Details of locations C1 to C7 should be identified clearly on a map.
- The details of the sampling methods used to recover the nuggets needs to be clearly explained.
- The total weight of nuggets in each of the images needs to be disclosed and the approximate area over which they were recovered.
- The report must include a description of the style and nature of the mineralisation. (JORC Clause 13).
- JORC Table 1 information needs to be completed to provide context to the nugget results. This should address all points in the table on an 'if-not, why-not' basis. Information should include details of sampling techniques, logging, sub-sampling (eg. panning, sieving), location of data points (eg. details of GPS unit used, coordinate system and level of accuracy/error), data spacing and distribution, tenement details etc.
- A statement by a competent person taking responsibility for the validity and reporting of the results.

Two recent announcements that have provided the level of detail that ASX is requesting:

- Artemis Resources (ARV) 7 September 2017. Update-High Grade Gold Nuggets at Silica Hills - Karratha, Western Australia; and
- Golden Mile Resources (G88) 13 September 2017: UPDATE - HIGH-GRADE GOLD AT LEONORA EAST

JORC references for your information:

JORC Clause 19 states:

"Reporting of selected information such as isolated assays, isolated drill holes, assays of panned concentrates or supergene enriched soils or surface samples, without placing them in perspective is unacceptable."

JORC Clause 9 states:

"A Public Report concerning a company's Exploration Targets, Exploration Results, Mineral Resources or Ore Reserves is the responsibility of the company acting through its Board of Directors. Any such report must be based on, and fairly reflect, the information and supporting documentation prepared by a Competent Person. A company issuing a Public Report shall disclose the name(s) of the Competent Person, state whether the Competent Person is a full-time employee of the company, and, if not, name the Competent Person's employer."

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Wednesday, 18 October 2017 10:21 AM

**To:** Jim Wallace

**Subject:** RE: Haoma Mining updated announcement for release to market

Hi Jim,

Thanks for the update. We will review and get back to you.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]

**Sent:** Wednesday, 18 October 2017 10:07 AM

**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>

**Cc:** Gary Morgan <[gary.morgan@roymorgan.com](mailto:gary.morgan@roymorgan.com)>

**Subject:** Haoma Mining updated announcement for release to market

Hi John,

Attached is an amended release from the version sent to ASX on October 16.

We have taken into consideration the points raised by ASX as per your email below.

However please note that:

- Haoma will not release co-ordinates or other details that would define the exact locations as this would expose Haoma to significant tenement security issues.
- It is also not possible to provide a JORC statement simply around gold nuggets. We have limited the scope of the announcement to a report advising that we have found many nuggets at two locations and we will investigate further.  
We have provided photographic evidence of the nuggets and of the locations where they were collected.
- In paragraph two we have included a clarification around the age of the material from what was released on October 5. We trust this is acceptable.

We request that ASX now allow release of the attached announcement.

Kind regards

**Jim Wallace**

**Company Secretary**

Haoma Mining NL | Tonic House, 386 Flinders Lane Melbourne 3000  
T: +613 9224 5142 | E: [jim.wallace@roymorgan.com](mailto:jim.wallace@roymorgan.com) | W: [www.haoma.com.au](http://www.haoma.com.au)

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Tuesday, 17 October 2017 5:58 PM

**To:** Jim Wallace

**Subject:** Suspension of the shares in HAO

Hi Jim,

FYI: HAO will be automatically suspended tomorrow at 09:30am unless you seek voluntary suspension (which mean the suspension request comes from HAO and it not prompted by ASX) or you can release the amended announcement covering off on my questions I raised yesterday.

Have a good evening.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC

+613 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

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**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]

**Sent:** Monday, 16 October 2017 4:55 PM

**To:** Jim Wallace

**Subject:** Haoma Mining announcement titled: Haoma Mining recovers 'flat – watermelon seed-like' nuggets from conglomerates at the Comet Mine near Marble Bar

Hi Jim,

Refer to reasons below why the announcement was not released to the market.

The information in the Haoma Mining (HAO) announcement this morning that relates to collection of gold nuggets, surface sampling and mapping of conglomerate outcrops all qualifies as exploration results under the ASX Listing Rules and the JORC code. These are industry standard exploration methods and results and have nothing to do with Haoma Mining's proprietary metallurgical processes. The company should report the results in compliance with JORC and the Listing Rules with the endorsement of a recognised Competent Person.

These are the same requirement we have expected from all other companies when reporting results of gold nugget sampling and other visual exploration results.

This announcement should not be released to the market unless all of the following points are addressed:

1. Exploration Results.

- All details in section 1 and 2 of JORC Table 1 should be completed to provide context to the exploration results as per ASX Listing Rule 5.7.1. This should specifically address details of sampling techniques, logging, location of data points, discussion of geological context and planned further work etc.
- Comments relating to the items in the relevant sections of Table 1 should be provided on an 'if not, why not' basis by a competent person as per Clause 5 of the JORC code.
- Include a statement by a Competent Person under the JORC Code that satisfies all of the requirements of ASX Listing Rule 5.22 in relation to the exploration results, figures, geological discussion and interpretations presented in the announcement.

2. Maps and figures.

- Provide a reference and date for the source of the geology maps presented in Figure 3, Figure 6 and Figure 18. This is not "Google Earth Geology" and appears to be the GSWA interpreted bedrock geology.
- Include clearly labelled reference points for the mentioned conglomerate outcrop locations (C1 to C7).
- Include an appropriately scaled map to clearly show the location and distribution of the recovered nuggets and fine gold over the 150m sampled section and the 3 km of conglomerate outcrop C2.
- Include labelled reference points for each of the 50kg bulk samples. Include specific details of the sampling methods and spatial distribution of each of the samples in JORC Table 1. For example was each sample collected from a single point or aggregated from a broader area of outcrop?
- Clarify what each of the labelled XY coordinate point is referring to in Figure 3, 4, 6, 7, 18 and 19.
- Clarify what the green lines and gold stars represent in each of the figures in the announcement.
- Specifically explain in the body of the announcement how these lines were interpreted and what work has been done to validate the interpretations if any. The lines appear to trace various different lithology contacts (and different rock types), unaltered from the GSWA mapping interpretations.

Regards,

**John Johansson**

Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | john.johansson@asx.com.au

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**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]  
**Sent:** Monday, 16 October 2017 1:30 PM  
**To:** Gary Morgan  
**Cc:** Jim Wallace; Tim Ingram; Michele Levine  
**Subject:** RE: Haoma Mining letter to ASX

Hi Gary,

I can confirm that we are processing the trading halt.

You will need to forward the formal trading halt request as well stating why you are requesting the halt.

Regards,

**John Johansson**  
Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** Gary Morgan  
**Sent:** Monday, 16 October 2017 12:50 PM  
**To:** 'John.Johansson@asx.com.au'  
**Cc:** Jim Wallace; Gary Morgan; Tim Ingram; Michele Levine  
**Subject:** Haoma Mining letter to ASX

October 16, 2017

John Johansson  
Senior Adviser, Listings Compliance  
ASX Compliance Pty Ltd  
Level 4 North Tower Rialto  
525 Collins Street Melbourne VIC

E: [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

Dear Sir,

Today you made a decision not advise Haoma Mining shareholders of the attached market announcement “Haoma Mining recovers ‘flat – watermelon seed-like’ nuggets from conglomerates at the Comet Mine near Marble Bar”.

Haoma Mining is disappointed with your decision as the proposed ASX release advised shareholders of significant information regarding a large number of nuggets recovered from Comet Mine conglomerates near Marble Bar.

Withholding the report means Haoma’s shareholder and the ASX market is uninformed.

We requests the ASX place Haoma’s shares in a trading halt until such time as the information is released.



Allowing the ASX market to continue to trade in Haoma shares without the information could result in significant losses to persons dealing in Haoma securities or shareholders in companies with nearby tenements.

Yours sincerely

Gary Morgan  
Chairman  
Haoma Mining NL

**From:** John Johansson [<mailto:John.Johansson@asx.com.au>]  
**Sent:** Monday, 16 October 2017 10:15 AM  
**To:** Jim Wallace  
**Subject:** FW: Haoma mining announcement 5/10/17

Hi Jim.

I received an announcement from you this morning.

You will need to fix up the old announcement first before any other announcements are being put through.

Normally a rectification is done within 2 business days but this has been 6 business days now.

I will delete the new announcement off my system.

Regards,

**John Johansson**  
Senior Adviser, Listings Compliance

ASX Compliance Pty Ltd | Level 4 North Tower Rialto 525 Collins Street Melbourne | VIC  
+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** John Johansson  
**Sent:** Friday, 6 October 2017 8:52 AM  
**To:** 'Jim Wallace' <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>  
**Subject:** RE: Haoma mining announcement 5/10/17

Thanks Jim.

Regards,

**John Johansson**  
Senior Adviser, Listings Compliance

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+61 3 9617 8770 | [john.johansson@asx.com.au](mailto:john.johansson@asx.com.au)

**From:** Jim Wallace [<mailto:Jim.Wallace@roymorgan.com>]  
**Sent:** Thursday, 5 October 2017 10:37 PM  
**To:** John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>  
**Subject:** Re: Haoma mining announcement 5/10/17

Hi john

Im on leave friday and will be back monday. So will have to look at it then. It was written by our geologist who finished up this week so I might have to get someone else to review.

Kind regards  
Jim Wallace

Sent on the go with Vodafone

----- Original message -----

From: John Johansson <[John.Johansson@asx.com.au](mailto:John.Johansson@asx.com.au)>  
Date: 05/10/2017 7:28 PM (GMT+10:00)  
To: Jim Wallace <[Jim.Wallace@roymorgan.com](mailto:Jim.Wallace@roymorgan.com)>  
Subject: Haoma mining announcement 5/10/17

Hi Jim,

I had a look at the announcement that was released today (Conglomerate Materials in the Hardey Sandstone Formations).

It seems like the following clarification needs to be made in an updated announcement:

1. The announcement refers to the Fortescue Group rocks as "Lower Proterozoic" in age. This is factually incorrect as there is a volume of published literature that confirms the Fortescue Group and comparable Witwatersrand conglomerates are actually Archean in age.
2. The announcement should also provide evidence for stating the presence of Fortescue Group conglomerates presented in Figure1 and Figure2. If this is based on exploration work or published literature then the sources should be referenced in the announcement. It currently looks like drawn rough lines in Google Earth. If you add a source, there should also be a competent person statement.

Please call me tomorrow if you would like to discuss.

Thanks.

**John Johansson**  
Senior Adviser, Listings Compliance

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