



# Deep Yellow Limited

25 October 2016

ASX Limited  
Level 40 Central Park  
152-158 St Georges Terrace  
PERTH WA 6000

Attention: Jill Hewitt

By email: [jill.hewitt@asx.com.au](mailto:jill.hewitt@asx.com.au)

Dear Jill,

## ASX Query Letter

In response to your correspondence dated 19 October 2016 regarding increases in the price and trading volumes of the Company's shares, the Company's response is as follows:

1. The Company was aware of information concerning it that had not been announced to the market, which if it were known, could be an explanation for recent trading in its securities.
2.
  - a) The entity had been relying on 3.1A not to announce that information under Listing Rule 3.1, however based on recent trading we took the view that an immediate trading halt was warranted.
  - b) An announcement could not be made at the time and so the Company requested a trading halt and subsequently went into voluntary suspension.
  - c) Please refer to the responses in a) and b) above.
3. Not applicable.
4. Company refers to the release made in pre-open on Monday 24th October 2016 advising of the appointment of Mr John Borshoff as Chief Executive Officer ("CEO") and Managing Director and the establishment of a strategic relationship with an affiliate of the Sprott Group ("Sprott") as a result of which, an affiliate of Sprott will be making an initial A\$1.42M investment to recapitalise DYL and support the Company's future growth strategy, anchored by its flagship Namibian assets.

The Company confirms it is compliance with listing rule 3.1

Should you require any further clarification please do not hesitate to contact the undersigned.

Yours sincerely

**Mark Pitts**  
Company Secretary

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19 October 2016

Mr M Pitts  
Company Secretary  
Deep Yellow Limited

*By email: markp@endeavourcorporate.com.au*

Dear Mr Pitts

**DEEP YELLOW LIMITED (“ENTITY”): ASX PRICE AND VOLUME QUERY**

We have noted a change in the price of the Entity’s securities from a closing price of \$0.005 on Tuesday, 18 October 2016 to an intra-day high of \$0.007 at the time of writing today, 19 October 2016. We have also noted an increase in the volume of trading in Entity’s securities over this period.

In light of the price and volume increase, ASX asks you to respond separately to each of the following questions.

1. Is the Entity aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
2. If the answer to question 1 is “yes”:
  - (a) Is the Entity relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?

Please note that the recent trading in the Entity’s securities would suggest to ASX that such information may have ceased to be confidential and therefore the Entity may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is “yes”, you need to contact us immediately to discuss the situation.
  - (b) Can an announcement be made immediately?

Please note, if the answer to this question is “no”, you need to contact us immediately to discuss requesting a trading halt (see below).
  - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
3. If the answer to question 1 is “no”, is there any other explanation that the Entity may have for the recent trading in its securities?
4. Please confirm that the Entity is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

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### When and where to send your response

This request is made under, and in accordance with, Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, **by no later than 10:30 am AWST today, 19 October 2016**. If we do not have your response by then, ASX will have no choice but to consider suspending trading in the Entity's securities under Listing Rule 17.3.

You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, the Entity's obligation is to disclose the information "immediately". This may require the information to be disclosed before the deadline set out in the previous paragraph.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market.

Your response should be sent to me by e-mail at [tradinghaltspert@asx.com.au](mailto:tradinghaltspert@asx.com.au). It should **not** be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

### Listing rule 3.1

Listing Rule 3.1 requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities. Exceptions to this requirement are set out in Listing Rule 3.1A.

The obligation of the Entity to disclose information under Listing Rules 3.1 and 3.1A is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

In responding to this letter, you should have regard to the Entity's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*.

### Trading halt

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in the Entity's securities under Listing Rule 17.1.

If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and



- any other information necessary to inform the market about the trading halt, or that we ask for.

We may require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted.

You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

Please contact me immediately if you have any queries or concerns about any of the above.

Yours sincerely

*[sent electronically without signature]*

Jill Hewitt  
**Senior Adviser, ASX Listings Compliance**

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