

ASX ANNOUNCEMENT
7 SEPTEMBER 2023

Notice under Section 708A(5)(e) of the Corporations Act

This notice is given by Australian Pacific Coal Limited (the Company) under section 708A(5)(e) of the Corporations Act 2001 (Cth) (the Act) as modified by Australian Securities and Investment Commission (ASIC) Corporations (Disregarding Technical Relief) Instrument 2016/73.

The Company has today issued 36,363,636 new ordinary Shares (Shares) at an issue price of A\$0.11 per Share under the placement announced on 30 August 2023 (Relevant Shares).

The Company advises that:

- (a) the Relevant Shares will be issued without disclosure to investors under Part 6D.2 of the Act;
- (b) as at the date of this notice, the Company has complied with:
 - (1) the provisions of Chapter 2M of the Act as they apply to the Company; and
 - (2) sections 674 and 674A of the Act; and
- (c) as at the date of this notice, there is no excluded information of the type referred to in sections 708A(7) and 708A(8) of the Act that is required to be set out in this notice under section 708A(6).

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This announcement has been authorised for release to the ASX by the Board of Australian Pacific Coal Limited.

About Australian Pacific Coal Limited (ASX: AQC) and the Dartbrook Project

Australian Pacific Coal Limited (ASX: AQC) is focused on developing, acquiring and value adding coal projects. AQC's principal asset is the Dartbrook Coal Mine located in the Hunter Valley, NSW, approximately 4 km west of Aberdeen and 10 km north-west of Muswellbrook. The Dartbrook site has access to world-class infrastructure, a skilled workforce, and support industries utilised by major mining companies in the region. Dartbrook mine produced a high-quality thermal coal (NEWC spec) that is typical of the Hunter Valley with the potential to produce some semi-soft metallurgical coal. The quality characteristics and the percentage of the overall volume of product coal that may have coking coal properties suitable for end-users are yet to be fully determined.

All enquiries:

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Important notice

This notice does not constitute an offer to sell, or a solicitation of any offer to buy, any securities in the United States or to any person whom it would be not be lawful outside of Australia and New Zealand. The securities referred to herein have not been, and will not be, registered under the U.S. Securities Act of 1933, as amended ("U.S. Securities Act") or under the securities laws of any state or other jurisdiction of the United States, and may not be offered or sold, directly or indirectly, in the United States, or to, or for the account or benefit of, a U.S. person or person in the United States, except pursuant to an exemption from, or in a transaction not subject to, the registration requirements of the U.S. Securities Act and any other applicable securities laws of any state or other jurisdiction of the United States. United States and U.S. person are as defined in Regulation S under the U.S. Securities Act. This notice must not be distributed or released in the United States, or in any jurisdiction outside of Australia and New Zealand where distribution may be restricted by law.