

31 January 2013

**NOTICE PURSUANT TO SECTION 708A(5)(E) OF THE CORPORATIONS ACT 2001 (Cth).**

On 31 January 2013 Australian Pacific Coal Limited (**AQC**) completed the allotment of 6,250,000 fully paid AQC ordinary shares (**New Shares**) raising \$75,000 in accordance with the terms of its agreement with The Australian Special Opportunity Fund LP, which was announced to the market on 1 October 2012.

Australian Pacific Coal Limited gives notice pursuant to section 708A(5)(e) of the Corporations Act 2001 (Cth) (the Act) that:

- (a) it has issued 6,250,000 New Shares to professional investors.
- (b) the New Shares were issued without disclosure to investors under Part 6D.2 of the Act;
- (c) this notice is being given under section 708A(5)(e) of the Act;
- (d) as at the date of this notice, AQC has complied with:
  - a. the provisions of Chapter 2M of the Act as they apply to AQC; and
  - b. section 674 of the Act as it applies to AQC; and
- (e) 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.

Yours faithfully,



Kevin Mischewski  
Company Secretary

***About Australian Pacific Coal Limited***

*Australian Pacific Coal Limited (ASX:AQC) is an ASX-listed company focused on the exploration and development of metallurgical and thermal coal projects. With interests in 34 coal tenements strategically located in south-east Queensland's Bowen and Surat Basins, AQC has joint venture agreements in place with mining major Rio Tinto and Cuesta Coal.*