



2<sup>nd</sup> January 2024

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ASX Compliance  
Level 40, Central Park  
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Perth WA 6000

*Via email: ListingsCompliancePerth@asx.com.au*

**Babylon Pump & Power Limited ('BPP'): Price – Query**

Babylon Pump & Power Limited (ASX: BPP) (“the Company” or “BPP”) refers to your query dated 2 January 2024 regarding (i) the change in the price of BPP's securities from a low of \$0.05 to an intraday high of \$0.06 today, and (ii) the significant increase in the volume of BPP's securities traded today, 2 January 2024 (“ASX Query”).

The Company provides the following response in respect to the ASX Query.

1. Is BPP 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?

No

2. If the answer to question 1 is “yes”.

- (a) Is BPP relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in BPP's securities would suggest to ASX that such information may have ceased to be confidential and therefore BPP 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.

N/A



- (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).

N/A

- (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?

N/A

3. If the answer to question 1 is “no”, is there any other explanation that BPP may have for the recent trading in its securities?

- BPP announced to the market on 20 December 2023 that Cumulus Wealth Pty Ltd had become a substantial shareholder, obtaining 9.17% voting power.
- Positive Trading Update and Variation of Agreement lodged to the market on 21 December 2023.
- BPP announced to the market on 22 December 2023 that Managing Director, Michael Shelby had exercised his performance options to convert them to 14,810,819 ordinary shares on 21 December 2023.

4. Please confirm that BPP is complying with the Listing Rules and, in particular, Listing Rule 3.1.

Yes

5. Please confirm that BPP’s responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of BPP with delegated authority from the board to respond to ASX on disclosure matters.

Yes



Yours sincerely

A handwritten signature in black ink, appearing to read 'M Goldfinch'.

Matthew Goldfinch  
*Company Secretary*



2 January 2024

Reference: 86549

Mr Matthew Goldfinch  
Company Secretary  
Babylon Pump & Power Limited

By email

Dear Mr Goldfinch

**Babylon Pump & Power Limited ('BPP'): Price - Query**

ASX refers to the following:

- A. The change in the price of BPP's securities from a low of \$0.05 to an intraday high of \$0.06 today.
- B. The significant increase in the volume of BPP's securities traded today, 2 January 2024.

**Request for information**

In light of this, ASX asks BPP to respond separately to each of the following questions and requests for information:

1. Is BPP 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 BPP relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in BPP's securities would suggest to ASX that such information may have ceased to be confidential and therefore BPP 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 BPP may have for the recent trading in its securities?
4. Please confirm that BPP is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that BPP's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of BPP with delegated authority from the board to respond to ASX on disclosure matters.

**When and where to send your response**

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **1:00 PM AWST Tuesday, 2 January 2024**. 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

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within the exceptions mentioned in Listing Rule 3.1A, BPP'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 and may require BPP to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsCompliancePerth@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.

### **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 BPP'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 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*.

### **Suspension**

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in BPP's securities under Listing Rule 17.3.

### **Listing Rules 3.1 and 3.1A**

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

### **Release of correspondence between ASX and entity**

ASX reserves the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

Yours sincerely

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ASX Compliance