

For personal use only

28th July 2017

Market Announcements Platform
Australian Securities Exchange



Company Update

Further to its announcement of 7 July 2017, the Company advises that it was successful in obtaining all orders sought at this morning's Court hearing.

The orders were that the offers for sale or sale of the shares issued by the Company on 3 March and 28 April 2017 were not invalidated by any failure of the Company to comply with section 707(3) of the Corporations Act 2001 (Cth) and also to relieve from civil liability any seller of these shares.

A copy of these orders from the Federal Court of Australia and dated 28 July 2017 has been attached to this announcement.

A handwritten signature in black ink, appearing to read "G R Boden".

G R Boden
Company Secretary



Federal Court of Australia

District Registry: Western Australia

Division: General

No: WAD281/2017

IN THE MATTER OF SPECTRUM RARE EARTHS LIMITED ACN 115 770 226

SPECTRUM RARE EARTHS LIMITED ACN 115 770 226

Plaintiff

ORDER

JUDGE: JUSTICE BARKER

DATE OF ORDER: 28 July 2017

WHERE MADE: Perth

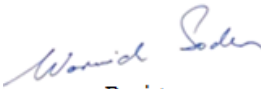
THE COURT ORDERS THAT:

1. Pursuant to s 1322(4)(a) of the *Corporations Act 2001* (Cth) (*Corporations Act*), it is declared that any offer for sale or sale of the quoted securities, being 76,850,000 ordinary shares in the plaintiff, during the period after the date of their issue on 3 March 2017 until 30 May 2017 is not invalid by reason of:
 - (a) the failure of notices, purportedly issued pursuant to s 708A(5)(e) of the *Corporations Act*, to exempt the seller from the obligation of disclosure under the *Corporations Act*; and
 - (b) the seller's consequent failure to comply with ss 707(3) and 727(1) of the *Corporations Act*.
2. Pursuant to s 1322(4)(c) of the *Corporations Act*, any seller referred to in order 1 above be relieved from any civil liability arising out of their contravention of ss 707(3) and 727(1) of the *Corporations Act*.
3. Pursuant to s 1322(4)(a) of the *Corporations Act*, it is declared that any offer for sale or sale of the quoted securities being 96,150,000 ordinary shares in the plaintiff during the period after the date of their issue on 28 April 2017 until 30 May 2017 is not invalid by reason of:



- (a) the failure of notices, purportedly issued pursuant to s 708A(5)(e) of the *Corporations Act*, to exempt the seller from the obligation of disclosure under the *Corporations Act*; and
- (b) the seller's consequent failure to comply with ss 707(3) and 727(1) of the *Corporations Act*.
4. Pursuant to s 1322(4)(c) of the *Corporations Act*, any seller referred to in order 3 above be relieved from any civil liability arising out of their contravention of ss 707(3) and 727(1) of the *Corporations Act*.
 5. A sealed copy of these orders is to be served on the Australian Securities and Investments Commission (**ASIC**) as soon as reasonably practicable and upon service of these orders on ASIC, ASIC is to include these orders on its database.
 6. A copy of these orders is to be given to each person to whom the securities were issued and as soon as reasonably practicable the plaintiff is to publish an announcement to the Australian Securities Exchange (**ASX**) in which a copy of these orders is included.
 7. For a period of 28 days from the publication of these orders on the ASX website, any person who claims to have suffered substantial injustice or is likely to suffer substantial injustice by the making of any or all of these orders has liberty to apply to vary or to discharge them.
 8. There be no order as to costs.

Date that entry is stamped: 28 July 2017


Registrar