

STATUTORY DECLARATION

*Oaths Act 1900 (NSW)*¹

I, *[insert full name]* of *[insert residential address]*, do solemnly and sincerely declare that:

1. I am a *[proposed]*² director of *[insert name of company]*.
2. I confirm to ASX Limited that:
 - (a) I have not been the subject of any criminal or civil penalty proceedings or other enforcement action by any government agency in which I was found to have engaged in behaviour involving fraud, dishonesty, misrepresentation, concealment of material facts or breach of duty;
 - (b) I have not been refused membership of, or had my membership suspended or cancelled by, any professional body on the ground that I have engaged in behaviour involving fraud, dishonesty, misrepresentation, concealment of material facts or breach of duty;
 - (c) I have not been the subject of any disciplinary action (including any censure, monetary penalty or banning order) by a securities exchange or other authority responsible for regulating securities markets for failure to comply with my obligations as a director of a listed entity;
 - (d) No listed entity of which I was a director (or, in the case of a listed trust, in respect of which I was a director of the responsible entity) at the time of the relevant conduct has been the subject of any disciplinary action (including any censure, monetary penalty, suspension of trading or termination of listing) by a securities exchange or other authority responsible for regulating securities markets for failure to comply with its obligations under the listing rules applicable to that entity; and
 - (e) I am not aware of any pending or threatened investigation or enquiry by a government agency, professional body, securities exchange or other authority responsible for regulating securities markets that could lead to proceedings or action of the type described in (a), (b), (c), (d) or (e) above³.

*[except for [insert a description of any exception to the statements in (a), (b), (c), (d) or (e) above and a detailed explanation of the circumstances involved].]*⁴

3. *{[I am currently a resident of [insert name of country] and have resided there for the past 10 years.]/[In the past 10 years, I have resided in [insert names of countries].]}*⁵
4. *{I am not able to obtain a national criminal history check for [insert name(s) of relevant country or countries for which a national criminal history check is not available] because [insert description of reason or reasons why a national criminal history check is not available].}*
5. I confirm to ASX Limited that I have not been convicted in *[insert name(s) of relevant country or countries for which a national criminal history check is not available]* or elsewhere of any criminal offence involving fraud, dishonesty, misrepresentation, concealment of material facts or breach of director's duties, or any other criminal offence which at the time carried a maximum term of imprisonment of 5 years or more (regardless of the period, if any, for which I was sentenced) *[except for [insert a description of any exception to this statement and a detailed explanation of the circumstances involved]]*^{6,7}
6. *{I am not able to obtain a national bankruptcy check for [insert name(s) of relevant country or countries for which a national bankruptcy check is not available] because [insert description of reason or reasons why a national bankruptcy check is not available].}*
7. I confirm to ASX Limited that I have not been declared a bankrupt or been an insolvent under administration in *[insert name or names of relevant country for which a national bankruptcy check is not available]* or elsewhere *[except for [insert a description of any exception to this statement and a detailed explanation of the circumstances involved]]*^{8,9}

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900 (NSW)*.

Declared at (place) on (date)

Before me
(signature of witness)

.....
(print full name and qualification of witness)

.....
(signature of declarant)

DRAFTING INSTRUCTIONS

¹ Declarants should take their own legal advice on the formal requirements for making statutory declarations under the *Oaths Act 1900 (NSW)*. As general information only, a statutory declaration under that Act may be administered by a justice of the peace, notary public, commissioner of the court for taking affidavits, an Australian legal practitioner or any other person authorised to administer an oath under the *Oaths Act 1900 (NSW)*. This includes, for persons making this statutory declaration in any country or place outside of New South Wales, a notary public or any person having authority to administer an oath in that country or place, or a British Consular Officer or an Australian Consular Officer exercising his or her functions in that country or place.

All italicised text, square and curly brackets and end notes should be deleted from the final statutory declaration.

² Delete if the declarant is a current director of the named company.

³ If there are no exceptions to the statements in (a), (b), (c), (d) or (e) in paragraph 2 conclude this line with a full stop. Otherwise, conclude it with a comma and complete the following paragraph.

⁴ This paragraph can be deleted if there are no exceptions to the statements in (a), (b), (c), (d) or (e) in paragraph 2. If there are any exceptions, this paragraph must be completed.

⁵ Include paragraph 3 only if the declarant is not currently a resident of Australia and is not able to provide a national criminal history check or bankruptcy check for any country in which the declarant has resided in the past 10 years. Use the first option if the declarant has resided in the same country for the past 10 years. Use the second option if the declarant has resided in more than one country in the past 10 years. Otherwise this paragraph should be deleted.

⁶ If there are no exceptions to the statement in the opening part of paragraph 5 about the declarant's history of criminal convictions, this last section in square brackets should be deleted. If there are any exceptions, this last section must be completed.

⁷ Include paragraphs 4 and 5 if the declarant is not currently a resident of Australia and is not able to provide a national criminal history check for any country in which the declarant has resided in the past 10 years. Otherwise these paragraphs should be deleted.

⁸ If there are no exceptions to the statement in the opening part of paragraph 7 about the declarant's history of bankruptcy or insolvency, this last section in square brackets should be deleted. If there are any exceptions, this last section must be completed.

⁹ Include paragraphs 6 and 7 if the declarant is not currently a resident of Australia and is not able to provide a national bankruptcy check for any country in which the declarant has resided in the past 10 years. Otherwise these paragraphs should be deleted.