

# Listed@ASX Compliance Update no. 09/24

12 August 2024

## 1. JORC Code update - education sessions on draft consultation version of the code

The Australasian Joint Ore Reserves Committee (JORC) Code is incorporated into the ASX Listing Rules in Appendix 5A and governs the way listed mining entities report on exploration results, mineral resources and ore reserves. JORC has released a draft of a proposed updated JORC Code for public feedback, seeking comment from stakeholders ahead of the final review and update of the JORC Code.

JORC engagement events are being organised in co-ordination with the parent bodies of JORC (AIG, AusIMM, and MCA), supported by ASX. The sessions are advertised on the JORC website. Additional information and resources are set out below:

- Background information about the updated draft JORC Code can be found [here](#).
- Register for an event [here](#) (this page will be updated with new events as they are made available).
- The Draft JORC Code and online survey can be found at: [Draft JORC Code Survey](#)

ASX encourages all listed entities in the resources sector to read the draft code and supporting materials and to attend an engagement event with a view to completing the online survey, which is the mechanism for collecting feedback. The feedback will inform the final version of the Code. The period for public feedback closes 31 October 2024.

## 2. Half yearly, preliminary final and change of balance date announcements: order of announcements and early release of announcements during reporting periods

A reminder that when releasing an Appendix 4D/4E/4F and associated documents, the order in which the documents should be released is:

1. The relevant Appendix and any others documents required to be given to ASX under ASX Listing Rules 4.2A, 4.3A or 4.4A (as applicable).
2. Dividend/distribution online form (if and when applicable).
3. Any other material, for example, media releases and investor or analyst presentations.

Regardless of the order in which the documents are lodged with ASX, ASX will release the Appendix 4D/4E/4F to the market first and other documents in the order set out above. For further guidance, please refer to section 15 of [Guidance Note 14](#).

Listed entities are also reminded that during Appendix 4D and 4E reporting periods, they can request early release arrangements for their financial reports if they have special requirements around the timing of the release of these announcements.

The request must be made by email to [ASX Market Announcements](#). Please note that release under these arrangements is on a best endeavours basis.

## 3. Allow enough time for ASX to review your draft notice of AGM

Almost 90% of listed entities have a balance date of 30 June and therefore would ordinarily have to hold their AGMs by 30 November each year.

Under Listing Rule 15.1.7, draft notices of general meeting that contain Listing Rule resolutions must be submitted to ASX for review before they are sent to security holders. Listing Rule 15.1 provides that ASX may take 5 business days to advise whether it objects to a draft document and may extend that deadline if it needs further time to review the document.

ASX asks listed entities to bear these timing requirements in mind and allow sufficient time when they submit their draft notices of meeting to ASX for review. This is particularly important if there are a number of resolutions or complex transactions to be considered.

If you will require waivers from any Listing Rules in connection with your notice of AGM, additional time should be allowed to obtain the waiver as the 5 business day period referred to above does not include the time needed to obtain a waiver. [Guidance Note 17](#) sets out the usual timeframes for ASX to process standard and non-standard waivers.

#### **4. Upcoming deadlines for periodic reports**

Listed entities are reminded of upcoming deadlines for periodic reports:

- Preliminary final reports (June year-end) – Friday 30 August 2024
- Statutory half year financial reports (except mining exploration entities) (December year-end) – Friday 30 August 2024
- Statutory half year financial reports for mining exploration entities (December year-end) – Friday 13 September 2024
- Statutory audited annual accounts (June year-end) – Monday 30 September 2024
- Annual reports (June year-end) – Thursday 31 October 2024 for listed companies and Monday 30 September 2024 for listed registered schemes
- Quarterly Reports for Mining and Commitments Test Entities – Thursday 31 October 2024
- An investment entity must also notify the NTA of quoted securities within 14 days of the end of each month

Listed entities are reminded that a failure to lodge the relevant documents on time (i.e. by close of the ASX Market Announcements Office on the due date) will result in an automatic suspension of the entity's securities under Listing Rule 17.5.

Dual listed entities that have CDIs issued over quoted securities are also reminded that they must lodge an Appendix 4A within 5 business days of the end of each month.

#### **5. Listed Entities Survey 2024**

ASX would like to thank the listed entities and advisers who took part in our recent Listed Entities Survey.

ASX received feedback from over 500 respondents who represented about one third of the entities listed on ASX. We were very grateful for this level of participation.

For established listed entities, the survey focussed on customer effort when engaging with ASX. We received constructive feedback on a number of areas including understanding, interpreting and applying the Listing Rules.

Many respondents have expressed an interest in further discussions with ASX about their feedback. We will be following up with those respondents to explore what we could improve and what we could do more of. We thank all respondents for being generous with their time and effort.

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