

Listed@ASX Compliance Update no. 10/20

19 November 2020

1. Expiry of the temporary emergency capital raising relief on 30 November 2020

In Listed@ASX Compliance Update no 07/20 dated 13 July 2020, ASX announced that its temporary emergency capital raising measures were extended until 30 November 2020.

ASX has recently consulted with ASIC and a number of industry stakeholders about the temporary emergency capital raising measures and the upcoming expiry date. Following those consultations, ASX confirms that the temporary emergency capital raising measures, including the 2+2 capital raising trading halts, will expire on 30 November 2020.

Listed entities are reminded of the requirement under the ASX class waiver for the capital raising to be announced to the market on or before 30 November 2020. As the class waiver also requires the entity to give written notice to ASX (not for release to the market) about the proposed capital raising, and for ASX to acknowledge by written notice that the entity is entitled to the benefit of the relevant waiver, an entity intending to use the class waiver must approach ASX well in advance of 30 November 2020.

2. Extended reporting and lodgment deadlines

On 11 November 2020, ASIC announced that it will extend the deadline for listed entities to lodge financial reports under Chapters 2M and 7 of the Corporations Act (the Act) by one month for balance dates up to and including 7 January 2021 where the balance date has not already passed. This additional relief builds on earlier relief announced by ASIC.

Listed entities will be able to take one additional month to report for audited full year and reviewed half-year financial reports for 21 February 2020 to 7 January 2021 balance dates. (The 7 January 2021 date accommodates entities that use a provision in the Corporations Act that allows their financial year to be changed by plus or minus 7 days each year).

ASIC have stated that listed entities seeking to rely on the extended lodgement deadline will be required to inform the market when they rely on the extended period for lodgement. ASIC have also stated entities may also find it desirable to explain the reasons for relying on the extended deadlines. ASIC indicated that the instrument extending the deadlines are expected to be registered on the Federal Register of Legislation shortly.

ASX proposes to issue a further class waiver under listing rule 18.1 to give effect under the listing rules to the relief announced by ASIC on 11 November 2020. ASX's class waiver will again impose two conditions that listed entities must satisfy to get the benefit of the extension to the lodgement date for their audited or reviewed accounts under listing rules 4.2B and 4.5.1. The first is a requirement that the entity provides to the market unaudited/unreviewed accounts and the information required by Appendix 4D or 4E (as applicable) by the usual lodgment deadline, so that the market has reasonably current financial information on which to base its trading decisions. The second is a requirement that, at the same time (or before) it lodges its unaudited/unreviewed accounts with ASX, it announces to the market not only that it is relying on the ASIC Relief to extend the lodgment date for its audited/reviewed accounts, but that it will also immediately make a further announcement to the market if there is a material difference between its unaudited/unreviewed accounts and its audited/reviewed accounts.

Despite ASX's proposed class waiver, wherever possible, listed entities should endeavour to lodge their audited or reviewed accounts with ASX within the normal listing rule deadlines, having regard to the information needs of security holders, creditors and other users of their financial reports, and any applicable borrowing covenants or other obligations.

ASX expects its class waiver will be available in the coming weeks and will be found on the [listed entities downloads page](#) of the ASX website.

3. Upcoming changes to ASX online forms

On 2 December 2019 ASX introduced new online forms (Appendix 3B and Appendix 4A) as well as additional Microsoft Word forms (Appendix 2A and Appendix 3G) for use by listed entities with the intention of making the new Microsoft Word forms and a number of other Listing Rule forms available as online forms in ASX Online.

ASX is pleased to advise that a number of new online forms are expected to become available for use in March 2021. Some changes will also be made to existing online forms.

Ahead of this change, ASX will provide listed entities with access to a new ASX Online for Companies training environment to preview the new and updated online forms and associated back-up Microsoft Word forms. ASX will also provide a summary of the updates and additional training material on the Login and Help pages. The new ASX Online for Companies training environment will be available within the next month. Further information and access details for listed entities will be provided at that time.

For now, listed entities may continue to use the existing ASX Online for Companies training environment as a safe and secure test site to preview the existing online forms available for use in the ASX Online for Companies website.

Current ASX Online for Companies training environment:

Url: <https://trainwww.asxonline.com/login/>

Login information: users can login to the training environment using the same credentials as ASX Online for Companies

Functions: The training environment reproduces ASX Online for Companies but is not connected to the ASX market announcements platform or any other system. For example you can use the PDF or online form announcement process, but release of the announcement and resulting confirmations are simulated. ASX has provided this environment to issuers as a safe place to practice the various functions available in ASX Online for Companies. Any PDFs or other documents produced from this environment should not be used for market announcement purposes in ASX Online for Companies.

Availability: 24/7. The data is refreshed every week on Friday evening. Data changes saved by users in the training environment (including any announcements drafted or submitted) will be deleted at the time the data refresh occurs.

Version: Mirrors current state of ASX Online for Companies.

If you require any assistance regarding ASX Online access please contact ASX.Online@asx.com.au, tel: 1800 028 302 or +61 2 9227 0905. For all other queries please contact your ASX Listings Compliance Adviser.

4. CHES Replacement: Confirmed implementation timetable

Following careful consideration of feedback received from the 100 organisations that participated in the extensive industry consultation, engagement with regulatory agencies, detailed discussions with our technology partners and completion of a comprehensive project review, on 28 October 2020, ASX confirmed the new go-live date for the CHES replacement system as April 2023, with increased project scope and a 12-month extension to the proposed date consulted upon mid-year.

ASX's formal response to the consultation feedback, the key factors driving the project extension and the full implementation schedule can be found [here](#). A copy of ASX's media release accompanying the announcement is also available [here](#).

5. Market Announcements Reporting Calendar 2021

The 2021 reporting calendar for listed entities is now available on the home page of ASX Online and on the [ASX website](#). Designed as a quick reference guide for listed entities with a 30 June or 31 December balance date, it outlines key reporting dates under the Listing Rules. It also indicates days on which ASX is closed.

If you require assistance to understand your entity's periodic reporting obligations, please contact your ASX Listings Compliance Adviser.

6. Christmas/ New Year period closures

The following dates over the Christmas/New Year period are non-business days and non-settlement days:

- 25 December 2020;
- 28 December 2020;
- 1 January 2021.

ASX will be closed on these days.

On both Thursday 24 and Thursday 31 December 2020 normal trading will cease at 2:10pm AEDT. The ASX Market Announcements Office will also close early on those dates at 4:30pm AEDT.

7. Upcoming deadlines for periodic reports

Listed entities are reminded of upcoming deadlines for periodic reports:

- Quarterly reports for mining exploration, oil and gas exploration and commitments test entities – Friday 29 January 2021
- Half year accounts for entities other than mining exploration and oil and gas exploration entities (June year-end) – Friday 26 February 2021
- Preliminary final reports for entities other than mining exploration and oil and gas exploration entities (December year-end) – Friday 26 February 2021
- Half year accounts for mining exploration and oil and gas exploration entities (June year-end) – Tuesday 16 March 2021
- Full year audited accounts/auditor's report/directors' statement (December year-end) – Wednesday 31 March 2021.

Listed entities are also reminded that, unless they satisfy all of the class waiver requirements referred to in item 2 of this Compliance Update above to extend the lodgment deadline for their audited or reviewed accounts (for balance dates to 7 January 2021), a failure to lodge the relevant documents on time will result in an automatic suspension of the entity's securities under Listing Rule 17.5.

8. Dividend and distribution information- 31 December 2020

Listed entities declaring a dividend or distribution for the period ending 31 December 2020 are again reminded that they must use ASX Online forms to announce the dividend or distribution and that if they wish to set 31 December 2020 as the record date for that period, they must announce the dividend or distribution by no later than Wednesday **23 December 2020** (Day 0 in the [Appendix 6A](#) Paragraph 1 timetable).

Listed entities should include the following information in such announcements:

- Conduit foreign income - where an entity announces a dividend or distribution that is fully or partially unfranked, the announcement should make clear the conduit foreign income (CFI) component of that dividend or distribution, even if the CFI component is nil.

In the online form, please note that questions 3A.4 Franked amount, 3A.6 Unfranked amount and 3A.7 Conduit Foreign Income amount should all add up to the total amount of the dividend/distribution as advised at question 3A.1b (that is, the Conduit Foreign Income amount is exclusive of the Unfranked amount).

The announcement of franking details is not compulsory when announcing an estimate of a dividend or distribution.

- Dividend/distribution reinvestment plans (DRP) - where an entity has a DRP or other plan in place, ASX requests that the entity make it clear in the announcement whether the DRP will operate or will be suspended for that particular dividend or distribution. If the DRP will operate, the following information should also be given:
 - the last date for electing to participate in the DRP (question 4A.2 in the online form);
 - the discount rate, if applicable (question 4A.3 in the online form);
 - the ranking of the securities to be issued pursuant to the DRP (question 4A.8a in the online form); and
 - pricing period and the pricing methodology for determining the issue price under the DRP (questions 4A.4 and 4A.5 in the online form).

If at the time when the dividend or distribution is announced it has not been decided by the entity whether the DRP will operate, or the above details are not known, the entity should give an indication of when the entity expects to confirm details of the DRP's operation (using Part 5 'Further information' if advising by online form).

Listed entities are also reminded to advise any update to dividend information (including actual amounts and DRP prices) by completing and submitting an Updated Online Form.

If you have any questions please contact your ASX Listings Compliance Adviser or email: onlineforms@asx.com.au.
