



A-Cap Energy Limited
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▶ ASX Release

27 October 2023

Schemes become effective

A-Cap Energy Limited (ASX:ACB) (**A-Cap** or the **Company**) refers to the proposed scheme of arrangement between A-Cap and its shareholders (**Share Scheme**) and the proposed scheme of arrangement between A-Cap and its listed option holders (**Option Scheme**) (each a **Scheme**), pursuant to which Lotus Resources Limited would acquire 100% of A-Cap's issued shares and listed options, as previously announced by the Company to ASX on 13 July 2023.

A-Cap is pleased to announce that a copy of the orders made by the Federal Court of Australia (**Court**) approving the Share Scheme and the Option Scheme has been lodged with the Australian Securities and Investments Commission (**ASIC**).

Accordingly, pursuant to sub-section 411(10) of the *Corporations Act 2001* (Cth), the Schemes are now legally effective. An office copy of the orders made by the Court as lodged with ASIC is attached to this announcement.

It is expected that A-Cap's shares and listed options will be suspended from trading on the ASX with effect from close of trading today, 27 October 2023.

The remaining key dates expected for the implementation of the Schemes are set out below:

Event	Date*
Record Date	Tuesday, 31 October 2023
Latest time to return small share scheme or option scheme participant election forms	Wednesday, 1 November 2023 at 5:00 pm (AWST)
Implementation Date	Tuesday, 7 November 2023
Termination of official quotation of A-Cap shares and A-Cap listed options and A-Cap to be removed from the official list of ASX	Wednesday, 8 November 2023

*All dates are indicative only and subject to change.

A-Cap Energy's Board has authorised the release of this announcement to the market.

For more information, please contact:

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About A-Cap Energy

A-Cap Energy is an Australian resources company focused on the development of critical minerals serving the world's path to carbon net zero. Amid renewed global focus on nuclear energy, the company's flagship Letlhakane Uranium Project in Botswana hosts one of the world's top 10 undeveloped uranium resources – 365.7 million pounds of contained U_3O_8 (100ppm U_3O_8 cut-off). A-Cap's Wilconi Project, which represents the company's first nickel-cobalt laterite project interest, is being advanced in response to the significant growth expectation in the supply of battery materials to the OEM automotive and battery industries. The company aims to establish key strategic and commercial relationships to take advantage of material processing and refinery technologies according to the highest Environmental, Social and Governance (ESG) standards.



Federal Court of Australia

District Registry: Western Australia

Division: General

No: WAD187/2023

A-CAP ENERGY LIMITED ACN 104 028 542 and another/others named in the schedule
Plaintiff

ORDER

JUDGE: JUSTICE FEUTRILL

DATE OF ORDER: 26 October 2023

WHERE MADE: Perth

THE COURT ORDERS THAT:

1. Pursuant to section 411(4)(b) of the *Corporations Act 2001* (Cth) (**Act**), the scheme of arrangement between the plaintiff and holders of fully paid ordinary shares in the plaintiff, in the form set out in Annexure A of the Scheme Booklet (a copy of which is contained at pages 16 to 464 Exhibit “CJD-1” of the affidavit of Courtney James Dixon sworn on 15 September 2023) (**Share Scheme**), be approved.
2. Pursuant to section 411(4)(b) of the Act, the scheme of arrangement between the plaintiff and holders of the listed options of the plaintiff, in the form set out in Annexure B of the Scheme Booklet (a copy of which is contained at pages 16 to 464 Exhibit “CJD-1” of the affidavit of Courtney James Dixon sworn on 15 September 2023) (**Option Scheme**), be approved.
3. Pursuant to section 411(12) of the Act, the plaintiff be exempt from compliance with section 411(11) of the Act in relation to the Share Scheme and Option Scheme.
4. An office copy of these orders be lodged with the Australian Securities and Investments Commission.

Date that entry is stamped: 26 October 2023


Registrar



Schedule

No: WAD187/2023

Federal Court of Australia

District Registry: Western Australia

Division: General

Interested Person LOTUS RESOURCES LIMITED ACN 119 992 175