

1 November 2019

ASX Announcements Office
152-158 St Georges Terrace
Perth WA 6000
Australia

FEDERAL COURT ORDERS

Force Commodities Limited (**Force** or the **Company**) (**ASX Code: 4CE**) is pleased to advise that the Company was successful in its Federal Court proceedings for validation orders in relation to secondary trading in shares issued by the Company pursuant to several securities issues previously made by the Company.

Earlier today, the Federal Court made orders declaring that any offer for sale or sale of these shares during the period from the respective dates of issue until 14 October 2019, when the Company lodged a cleansing prospectus, was not invalid by reason of the failure to issue a cleansing notice or prospectus and any consequent failure by shareholders to provide disclosure in relation to the offers and sales of shares.

The full orders made by the Federal Court are attached to this announcement.

The Company is in discussions with the ASX about the reinstatement of its securities, however it expects this to happen imminently.

The Company confirms that it is in compliance with ASX Listing Rule 3.1.

END

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Forward looking statements

Information included in this release constitutes forward-looking statements. Often, but not always, forward looking statements can generally be identified by the use of forward looking words such as “may”, “will”, “expect”, “intend”, “plan”, “estimate”, “anticipate”, “continue”, and “guidance”, or other similar words and may include, without limitation, statements regarding plans, strategies and objectives of management, anticipated production or construction commencement dates and expected costs or production outputs.

Forward looking statements inherently involve known and unknown risks, uncertainties and other factors that may cause the Company’s actual results, performance and achievements to differ materially from any future results, performance or achievements. Relevant factors may include, but are not limited to, changes in commodity prices, foreign exchange fluctuations and general economic conditions, increased costs and demand for production inputs, the speculative nature of exploration and project development, including the risks of obtaining necessary licences and permits and diminishing quantities or grades of reserves, political and social risks, changes to the regulatory framework within which the company operates or may in the future operate, environmental conditions including extreme weather conditions, recruitment and retention of personnel, industrial relations issues and litigation.

Forward looking statements are based on the Company and its management’s good faith assumptions relating to the financial, market, regulatory and other relevant environments that will exist and affect the Company’s business and operations in the future. The Company does not give any assurance that the assumptions on which forward looking statements are based will prove to be correct, or that the Company’s business or operations will not be affected in any material manner by these or other factors not foreseen or foreseeable by the Company or management or beyond the Company’s control.

Although the Company attempts and has attempted to identify factors that would cause actual actions, events or results to differ materially from those disclosed in forward looking statements, there may be other factors that could cause actual results, performance, achievements or events not to be as anticipated, estimated or intended, and many events are beyond the reasonable control of the Company. Accordingly, readers are cautioned not to place undue reliance on forward looking statements. Forward looking statements in these materials speak only at the date of issue. Subject to any continuing obligations under applicable law or any relevant stock exchange listing rules, in providing this information the company does not undertake any obligation to publicly update or revise any of the forward looking statements or to advise of any change in events, conditions or circumstances on which any such statement is based.



Federal Court of Australia

District Registry: Western Australia

Division: General

No: WAD 540/2019

**IN THE MATTER OF FORCE COMMODITIES LTD
ACN 145 184 667**

FORCE COMMODITIES LTD ACN 145 667 885
Plaintiff

ORDER

JUDGE: JUSTICE MCKERRACHER

DATE OF ORDER: 01 November 2019

WHERE MADE: Perth

THE COURT ORDERS THAT:

1. Leave be granted to the plaintiff to amend the originating process in terms of the minute of proposed amended originating process filed herein.
2. The minute of proposed amended originating process do stand as the amended originating process and further service be dispensed with.
3. Pursuant to ss 1322(4)(a) and 254E of the *Corporations Act 2001* (Cth), the issue of the shares referred to at item 1 of Annexure A is validated and confirmed.
4. Pursuant to s 1322(4)(a) of the Act, it is declared that any offer for sale or sale of the shares referred to at item 1 of Annexure A during the period from the date of issue until 14 October 2019 is not invalid by reason of:
 - (a) the failure to give a notice to the Australian Securities Exchange (**ASX**) under paragraph 7(f)(ii) of the Australian Securities and Investment Commission



- (ASIC) Class Order 09/425 within the 24-hour period prior to the issue of the shares; and
- (b) the seller's consequent failure to comply with s 707(3) and 727(1) of the Act.
5. Pursuant to s 1322(4)(a) of the Act, it is declared that any offer for sale or sale of the shares listed at items 2 to 14 of Annexure A during the period from the date of issue until 14 October 2019 is not invalid by reason of:
- (a) The failure to issue a valid cleansing notice under s 708A(5)(e) of the Act or a cleansing prospectus under s 708A(11) of the Act, to exempt the seller from the obligation of disclosure under the Act; and
- (b) the seller's consequent failure to comply with s 707(3) and 727(1) of the Act.
6. Pursuant to s 1322(4)(c) of the Act, any sellers of shares referred to in Annexure A save for present and past directors and officers of the plaintiff are relieved from any civil liability arising out of any contravention of ss 707(3) and 727(1) of the Act.
7. A sealed copy of these orders is to be served on ASIC as soon as reasonably practicable and upon service of these orders on ASIC, ASIC is to include these orders on its database.
8. As soon as reasonably practicable a copy of these orders is to be sent to the last known email address of each person to whom the shares referred to in Annexure A were issued.
9. The plaintiff make a request forthwith of the ASX for the class of securities '4CE' to be reinstated to quotation on the ASX.



10. As soon as reasonably practicable and prior to the reinstatement of the class of securities '4CE' on the ASX, the plaintiff is to publish an announcement on the ASX markets announcement platform in which a copy of these orders is included.
11. For a period of 28 days from the publication of these orders on the ASX markets announcement platform, 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 these orders.
12. There be no order as to costs.

Date that entry is stamped: 1 November 2019

Warrick Soden
Registrar



Appendix A

1. 5,229,383 shares issued on 30 July 2014
2. 38,765,711 shares issued on 1 February 2016
3. 12,333,333 shares issued on 21 and 22 June 2016
4. 12,500,000 shares and 12,500,000 options issued on 5 August 2016
5. 5,700,000 shares issued on 4 November 2016
6. 37,924,800 shares issued on 16 January 2017
7. 1,833,333 shares issued on 20 November 2017
8. 250,000 shares issued on 24 November 2017
9. 5,562,500 shares issued on 11 December 2017
10. 1,333,332 shares issued on 19 December 2017
11. 7,541,666 shares issued on 15 and 16 January 2018
12. 2,520,833 shares issued on 19 and 22 January 2018
13. 32,750,000 shares issued on 23 July 2019
14. 11,500,000 shares issued on 3 September 2019