



EnviroMission Limited
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19th August, 2022.

Shareholder Update: Annual General Meeting.

Dear Shareholder,

A small number of Shareholders have raised concerns with EnviroMission Limited (“the Company”) that they did not receive the Notice of Meeting regarding the Company’s Annual General Meeting (AGM) held on the 15 August 2022.

Whilst the company believes it did take reasonable steps to disseminate the Notice of Meeting and accompanying Proxy form to all shareholders in a timely manner an error was detected with the email broadcast, whereby not all emails were picked up from the database used to support the email broadcast system. Upon this discovery the Company sought legal advice on the following matters:

- i. Whether the company is obligated to hold another Annual General Meeting in lieu of the outstanding proxies not being captured and registered.
- ii. The potential material effect (if any) on the outcome of resolutions 1,2 & 3; and
- iii. What other remedies are available to the company to correct the potential oversight.

The advice received from EnviroMission’s legal counsel is as follows:

“Pursuant to section 1322 of the Corporations Act (Act), no proceeding under the Act is invalidated by reason of any procedural irregularity except where substantial injustice can be shown and a Court cannot otherwise remedy the matter by way of other orders. Our view is that no substantial injustice, for the purposes of the Act, could be made out in the present circumstances”.

“For the avoidance of doubt, the Act also expressly states that a meeting held (such as a shareholder meeting) under the Act or a meeting notice required to be given under the Act, or any proceeding at such a meeting, is not invalidated only "because of the accidental omission to give notice of the meeting or the non-receipt by any person of notice of the meeting", except where a Court declares proceedings at the meeting to be void”.

In accordance with this advice, it is the view of the Company that the Annual General Meeting held on the 15th August 2022 is in compliance with the Corporations Act (Cth), and as such, no additional meeting is required to be held. It is also noted that some of the impacted shareholders were still able to submit their proxy and have their votes recorded at the meeting despite not receiving formal notification of the meeting.

The company is currently examining what safeguards can be implemented to avoid potential “gaps” in the dissemination of future material communications to shareholders and will implement these safeguards accordingly.

The Company would also like to take this opportunity to invite Shareholders to subscribe to the email alert facility located on the company’s [website](#). The email alert facility is a great way to stay connected with company news items.

The Company un-reservedly apologises to those shareholders impacted and undertakes to put measures in place to ensure the error is not repeated.

For all enquiries relating to this matter please contact:
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Non Executive Director.
EnviroMission Limited.