



macquarieharbour
mining

MACQUARIE HARBOUR MINING LIMITED
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www.mhml.com.au

28 October 2010

Mauro Piccini
Advisers, Issuers (Perth)
ASX Compliance Pty Ltd
Level 8 Exchange Plaza
2 The Esplanade
Perth WA 6000

Dear Mauro

We refer to your letter dated 25 October 2010 regarding the Change of Director's Interest Appendices 3Y lodged on 25 October 2010 for Mr Peter Robertson.

We respond to your three questions as follows:

1. Please explain why the Appendices 3Y were lodged late.

The delay in lodgment of the Appendices 3Y for Peter Robertson arose due to an administrative oversight. It was believed that the series of trades were regarded as related, and as such could be treated as one transaction over a series of days. Accordingly it was also believed that the five day notification period commenced at the date of the last sale. The Company now understands that this is not correct.

Notification of the sale of shares had been made to the Company by Mr Robertson as required and in compliance with the Company's Policy for Dealing in the Company's Securities.

2. What arrangements does the Company have in place with its directors to ensure that it is able to meet the disclosure obligations under listing rule 3.19A?

The Company has a Policy for Dealing in the Company's Securities which requires Directors to notify the Company as soon as practicable (and no later than 5 business days), after they have bought or sold the Company's securities or exercised options.

3. If the current arrangements are inadequate or not being enforced, what additional steps does the Company intend to take to ensure compliance with listing rule 3.19B?

The Company considers that the current arrangements are adequate, and are being enforced. The reason for the late lodgment of the Appendices was not due to a lack of enforcement of these arrangements, or a lack of information provided by the Director in question, but simply

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due to an inadvertent oversight by the Company. The Company will continue to comply with listing rule 3.19B by ensuring that the Company's Directors disclose to the Company all the relevant details required by the Company to give ASX completed notices within the time frame specified by listing rule 3.19A.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Ben Mead', with a stylized flourish extending to the right.

Ben Mead
Company Secretary

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25 October 2010

Mr Benjamin Mead
Company Secretary
Macquarie Harbour Mining Limited
1st Floor 20 Kings Park Road
WEST PERTH WA 6005

By Email: bwmead@mhml.com.au

Dear Benjamin

Macquarie Harbour Mining Limited (the "Company") Appendix 3Y – Director's Interest Notice.

We refer to the following;

1. The Appendices 3Y lodged by the Company with ASX Limited ("ASX") on 25 October 2010 for Mr Peter Robertson.
2. Listing rule 3.19A which requires an entity to tell ASX the following:
 - 3.19A.1 The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the following times.
 - On the date that the entity is admitted to the official list.
 - On the date that a director is appointed.The entity must complete Appendix 3X and give it to ASX no more than 5 business days after the entity's admission or a director's appointment.
 - 3.19A.2 A change to a notifiable interest of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust). The entity must complete Appendix 3Y and give it to ASX no more than 5 business days after the change occurs.
 - 3.19A.3 The notifiable interests of a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) at the date that the director ceases to be a director. The entity must complete Appendix 3Z and give it to ASX no more than 5 business days after the director ceases to be a director.

3. Listing rule 3.19B which states as follows.

An entity must make such arrangements as are necessary with a director of the entity (or in the case of a trust, a director of the responsible entity of the trust) to ensure that the director discloses to the entity all the information required by the entity to give ASX completed Appendices 3X, 3Y and 3Z within the time period allowed by listing rule 3.19.A. The entity must enforce the arrangements with the director.

4. The Companies Update dated 27 June 2008, reminding listed entities of their obligation to notify ASX within 5 business days of the notifiable interests in securities held by each director and outlining the action that ASX would take in relation to breaches of listings rules 3.19A and 3.19B.

As the Appendices 3Y indicated that changes in the directors' relevant interests occurred between 14 – 20 October 2010, it appears that the Appendices 3Y should have been lodged with the ASX by 21 October 2010. As the Appendices 3Y were lodged on 25 October 2010, it appears that the Company may be in breach of listing rules 3.19A and/or 3.19B.

Please note that ASX is required to record details of breaches of the listing rules by listed companies for its reporting requirements.

ASX reminds the Company of its contract with ASX to comply with the listing rules. In the circumstances ASX considers that it is appropriate that the Company make necessary arrangements to ensure there is not a reoccurrence of a breach of the listing rules.

Having regard to listing rules 3.19A and 3.19B and Guidance Note 22: "Director Disclosure of Interests and Transactions in Securities - Obligations of Listed Entities", we ask that you answer each of the following questions:

1. Please explain why the Appendices 3Y were lodged late.
2. What arrangements does the Company have in place with its directors to ensure that it is able to meet its disclosure obligations under listing rule 3.19A?
3. If the current arrangements are inadequate or not being enforced, what additional steps does the Company intend to take to ensure compliance with listing rule 3.19B?

Your response should be sent to me by e-mail to mauro.piccini@asx.com.au or facsimile on facsimile number (08) 9221 2020. It should not be sent to the Company Announcements Office.

A response is requested as soon as possible (i.e. before 4.00pm W.S.T.) on **Thursday 28 October 2010**.

Under listing rule 18.7A, a copy of this query and your response will be released to the market, so your response should be in a form suitable for release and should separately address each of the questions asked. If you have any queries or concerns, please contact me immediately

Yours sincerely,



Mauro Piccini
Adviser, Issuers (Perth)