

ASX RELEASE

28 January 2022

The Manager
Company Announcements
ASX Limited
20 Bridge Street
Sydney NSW 2000

ATO CLASS RULING – UPDATE AS TO TIMING

Aventus Capital Limited (ACN 606 555 480) (in its capacity as responsible entity of the Aventus Retail Property Fund (ARSN 608 000 764)) and Aventus Holdings Limited (ACN 627 640 180) (collectively, **Aventus**) refer to the Scheme Booklet registered with the Australian Securities and Investments Commission on 7 December 2021 (**Scheme Booklet**) and proposed Merger, to be implemented by way of the Unstapling of Aventus Shares and Aventus Units, followed by the implementation of the Trust Scheme and Members' Scheme, under which:

- HMC Funds Management Limited (ACN 105 078 635) as the responsible entity of the HomeCo Daily Needs REIT (ARSN 645 086 620) will acquire 100% of the Aventus Units under the Trust Scheme; and
- Home Consortium Limited (ACN 138 990 593) will acquire 100% of the Aventus Shares by way of a scheme of arrangement under Part 5.1 of the *Corporations Act 2001* (Cth).

Aventus announced the results of the General Meeting of Unitholders, General Meeting of Shareholders and Members' Scheme Meeting held concurrently on 25 January 2022 which approved the Merger.

The Merger remains subject to a condition precedent that a class ruling is obtained from the Australian Taxation Office (**ATO**) confirming the availability of scrip for scrip rollover relief in relation to the acquisition of Aventus Units (the **ATO Ruling**), as well as other, customary conditions precedent.

The ATO has advised Aventus that the finalisation and issue of the form of ATO Ruling has been delayed and that it is unlikely to be issued by the ATO by the date scheduled for the Second Court Hearing, being 2 February 2022. The ATO has informed Aventus that the delay is due to resourcing shortages at the approval levels of the ATO given the time of year, rather than due to concerns with the ruling requested.

Aventus has decided to defer implementation of the Merger, which was scheduled to be on 14 February 2022, until it receives the form of ATO Ruling that the ATO will issue in respect of the implementation of the Merger. Aventus intends to proceed with the Second Court Hearing on 2 February 2022 in relation to procedural matters (subject to the Court's convenience) but will request the Court to adjourn the hearing to permit approval of the Members' Scheme and the Second

Judicial Advice to be deferred until Aventus receives the form of ATO Ruling that will be issued in respect of the Merger.

Once Aventus has further information about the timing of the ATO Ruling, it will provide a further update as to the timetable for implementation of the Merger.

Other than as defined in this release, a word or phrase used in this release has the same meaning given in the Scheme Booklet.

Approved for release by the Board.

Mary Weaver
Company Secretary
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