

**Form 604****Corporations Law****Section 671B****Notice of change in interests of substantial holder**

To Company Name/Scheme **A-Cap Energy Limited**

ACN/ARSN **104 028 542**

**1. Details of substantial holder (1)**

Name **MM Asset Management Inc.**

ACN/ARSN (if applicable) **N/A**

There was a change in the interests of the substantial holder on

**See Annexure A**

The previous notice was given to the company on **03 November 2022**

The previous notice was dated **02 November 2022**

**2. Previous and present voting power**

The total number of votes attached to all the voting shares in the company or voting interests in the scheme that the substantial holder or an associate (2) has a relevant interest (3) in when last required, and when now required, to give a substantial holding notice to the company or scheme, are as follows:

Class of securities (4)	Previous notice		Present notice	
	Person's votes	Voting power (5)	Person's votes	Voting power (5)
See Annexure A				

**3. Changes in relevant interests**

Particulars of each change in, or change in the nature of, a relevant interest of the substantial holder or an associate in voting securities of the company or scheme, since the substantial holder was last required to give a substantial holding notice to the company or scheme are as follows:

Date of change	Person whose relevant interest changed	Nature of change (6)	Consideration given in relation to change (7)	Class and number of securities affected	Person's votes affected
See Annexure A					

**4. Present relevant interests**

Particulars of each relevant interest of the substantial holder in voting securities after the change are as follows:

Holder of relevant interest	Registered holder of securities	Person entitled to be registered as holder (8)	Nature of relevant interest (6)	Class and number of securities	Person's votes
See Annexure A					

**5. Changes in association**

The persons who have become associates (2) of, ceased to be associates of, or have changed the nature of their association (9) with, the substantial holder in relation to voting interests in the company or scheme are as follows:

Name and ACN/ARSN (if applicable)	Nature of association
Not applicable	

**6. Addresses**

The addresses of persons named in this form are as follows:

Name	Address
MM Asset Management Inc.	161 Bay Street Suite 2240 Toronto, ON M5J 2S1 CANADA
Macquarie Bank Limited	Level 6 50 Martin Place SYDNEY NSW 2000

**Signature**

print name HILLEL MELTZ capacity DIRECTOR

sign here *H. Meltz* date 02/ Feb /2023

**DIRECTIONS**

- (1) If there are a number of substantial holders with similar or related relevant interests (eg. a corporation and its related corporations, or the manager and trustee of an equity trust), the names could be included in an annexure to the form. If the relevant interests of a group of persons are essentially similar, they may be referred to throughout the form as a specifically named group if the membership of each group, with the names and addresses of members is clearly set out in paragraph 6 of the form.
- (2) See the definition of "associate" in section 9 of the Corporations Law.
- (3) See the definition of "relevant interest" in section 608 and 671B(7) of the Corporations Law.
- (4) The voting shares of a company constitute one class unless divided into separate classes.
- (5) The person's votes divided by the total votes in the body corporate or scheme multiplied by 100.
- (6) Include details of:
  - (a) any relevant agreement or other circumstances because of which the change in relevant interest occurred. If subsection 671B(4) applies, a copy of any document setting out the terms of any relevant agreement, and a statement by the person giving full and accurate details of any contract, scheme or arrangement, must accompany this form, together with a written statement certifying this contract, scheme or arrangement; and
  - (b) any qualification of the power of a person to exercise, control the exercise of, or influence the exercise of, the voting powers or disposal of the securities to which the relevant interest relates (indicating clearly the particular securities to which the qualification applies).

See the definition of "relevant agreement" in section 9 of the Corporations Law.
- (7) Details of the consideration must include any and all benefits, money and other, that any person from whom a relevant interest was acquired has, or may, become entitled to receive in relation to that acquisition. Details must be included even if the benefit is conditional on the happening or not of a contingency. Details must be included of any benefit paid on behalf of the substantial holder or its associate in relation to the acquisitions, even if they are not paid directly to the person from whom the relevant interest was acquired.
- (8) If the substantial holder is unable to determine the identity of the person (eg. if the relevant interest arises because of an option) write "unknown".
- (9) Give details, if appropriate, of the present association and any change in that association since the last substantial holding notice.

## Annexure A

This is the annexure marked 'A' of 2 pages referred to in the Notice of change of interests of substantial shareholder.

*H. Meltz*

Hillel Meltz

Director, MM Asset Management Inc.

2 February 2023

MM Asset Management Inc. (**MMAM**) has a cash settled equity swap position in the Company with Macquarie Bank Limited as writer. Disclosure of MMAM's position may not be required in accordance with Chapter 6C of the Corporations Act, but may be required by Australian Takeovers Panel guidance. Accordingly, we have modified the disclosure below as it relates to "relevant interests", "votes" and "voting power".

MMAM's disclosed position below are all long equity derivative positions. MMAM does not have short equity derivative positions that offset long positions to disclose, or short positions of more than 1% that have been acquired after a long position was disclosed.

### Previous and present swap interests

Class of securities (4)	Previous notice		Present notice	
	No. of shares	%	No. of shares	%
Fully paid ordinary shares	187,675,688	15.23%	203,487,096	16.51%

### Changes

Particulars of each change in swap interests since last notices are as follows:

Date of change	Increase or decrease of swap interest	Consideration given in relation to price change (7)	Class and number of securities affected
9 November 2022	Increase	0.0819	298,418 fully paid ordinary shares
11 November 2022	Increase	0.081	108,128 fully paid ordinary shares
14 November 2022	Increase	0.079	183,948 fully paid ordinary shares
15 November 2022	Increase	0.0818	605,228 fully paid ordinary shares
21 November 2022	Increase	0.080	301,885 fully paid ordinary shares
23 November 2022	Increase	0.081	79,536 fully paid ordinary shares
2 December 2022	Increase	0.080	1,000,000 fully paid ordinary shares
5 December 2022	Increase	0.080	178,031 fully paid ordinary shares
9 December 2022	Increase	0.076	1,000,000 fully paid ordinary shares
12 December 2022	Increase	0.075	426,529 fully paid ordinary shares
13 December 2022	Increase	0.075	264,332 fully paid ordinary shares
14 December 2022	Increase	0.072	580 fully paid ordinary shares
16 December 2022	Increase	0.071	436,759 fully paid ordinary shares
19 December 2022	Increase	0.071	42,749 fully paid ordinary shares
20 December 2022	Increase	0.070	43,757 fully paid ordinary shares

21 December 2022	Increase	0.070	1,000,000 fully paid ordinary shares
22 December 2022	Increase	0.070	71,670 fully paid ordinary shares
23 December 2022	Increase	0.071	113,462 fully paid ordinary shares
28 December 2022	Increase	0.071	294,775 fully paid ordinary shares
29 December 2022	Increase	0.068947	2,054,235 fully paid ordinary shares
9 January 2023	Increase	0.0768	180,467 fully paid ordinary shares
10 January 2023	Increase	0.081	97,171 fully paid ordinary shares
11 January 2023	Increase	0.0838	211,349 fully paid ordinary shares
12 January 2023	Increase	0.0866	1,000,000 fully paid ordinary shares
13 January 2023	Increase	0.085	550,000 fully paid ordinary shares
16 January 2023	Increase	0.083	106,375 fully paid ordinary shares
17 January 2023	Increase	0.083	999,376 fully paid ordinary shares
19 January 2023	Increase	0.081	11,000 fully paid ordinary shares
20 January 2023	Increase	0.081	21,738 fully paid ordinary shares
23 January 2023	Increase	0.0867	100,000 fully paid ordinary shares
24 January 2023	Increase	0.083	30,000 fully paid ordinary shares
2 February 2023	Increase	0.07995	4,000,000 fully paid ordinary shares