

5 August 2024

Market Announcements Office  
ASX Limited  
20 Bridge Street  
Sydney NSW 2000

Dear Sir/Madam

## Takeover bid by Diatreme Resources Limited for Metallica Minerals Limited Commencement of compulsory acquisition

Diatreme Resources Limited (**Diatreme**) refers to its off-market takeover bid under Chapter 6 of the *Corporations Act 2001* (Cth) (**Corporations Act**) for all the fully paid ordinary shares in Metallica Minerals Limited ACN 076 696 092 (ASX: MLM) (**Metallica**) contained in its Bidder's Statement dated 28 March 2024 (as varied and supplemented from time to time) (the **Offer**).

We **attach**:

- by way of service pursuant to section 661B(1)(d) of the Corporations Act, a copy of the ASIC Form 6021 'Notice of compulsory acquisition following a takeover bid' (**Notice**) which was lodged with ASIC today; and
- a sample copy of the cover letter which will be sent to Metallica securityholders together with the Notice.

In accordance with section 661B(2)(b) of the Corporations Act, the Notice will be despatched to Metallica securityholders no later than 6 August 2024.

This market announcement was authorised for release by the Diatreme board.

Contact – Mr Neil McIntyre - Ph – +61 (0)7 3397 2222  
Website - [www.diatreme.com.au](http://www.diatreme.com.au)  
Email - [manager@diatreme.com.au](mailto:manager@diatreme.com.au)

For investor/media queries, please contact:  
Anthony Fensom, Fensom Advisory  
[anthony@fensom.com.au](mailto:anthony@fensom.com.au)  
Ph: +61 (0)407 112 623

For personal use only

# Notice of compulsory acquisition following takeover bid

## Notice

Description of class of securities to which the bid relates.

## To each holder of:

Fully paid ordinary shares

('Bid class Securities')

## In

Name of target company

Name ('the Company')

METALLICA MINERALS LIMITED

ACN/ARBN/ARSN

076696092

Tick applicable box(es)

- and each holder of securities that will or may be converted into, or confer rights to be issued, in the next 6 weeks, securities to which the bid related
- and each holder of non-transferable securities issued under an employee incentive scheme referred to in paragraph 2.

Name of bidder

### 1. Under a takeover bid offers were made by

Diatreme Resources Limited

in respect of the acquisition of Bid Class Securities in the company.

Tick one box

The offers

- closed
- Are scheduled to close

Date offers closed or are scheduled to close on

Date

06/08/2024

[DD/MM/YY]

Tick applicable box(es).  
(See subsection 661A(4) and 4A))

### 2. You are, as at the date of this notice, the holder of one or more of the following

- securities in respect of which the takeover offer was made but have not accepted the offer, (If you have accepted the offer but have received this notice you do not need to do anything in response to this notice— the bidder will acquire your securities under the offer,)
- securities to which the bid related issued after the end of the offer period and before the date of this notice
- securities that will or may be converted into, or confer rights to be issued, in the next 6 weeks, securities to which the bid related
- securities issued under an employee incentive scheme to which restrictions on transfer apply under the company's constitution or the terms of issue, being

Description of securities

- The following securities in the bid class in which the bidder has a relevant interest

Description of securities

Tick one box

### 3. The bidder gives you notice under subsection 661B(1) of the Corporations Act 2001 ('the Act') that the bidder has become entitled pursuant to subsection

- 661 A(1)
- 661 A(3) of the Act to compulsorily acquire your securities and desires to acquire those securities.

For personal use only

4. Under section 661D of the Act, you have the right, by notice in writing given to the bidder within one month after this notice is lodged with ASIC, to ask the bidder for a written statement of the names and addresses of everyone else the bidder has given this notice to.

Date of lodgement

This notice was lodged with ASIC on

Date

05/08/2024

[DD/MM/YY]

Insert paragraph 4A only where alternative forms of consideration were offered under the bid.

4A. You are entitled, within one month after being given this notice (see paragraph 8), or within 14 days after being given a statement requested under section 661D of the Act (as referred to in paragraph 4 of this notice), whichever is the later, by notice in writing to the bidder, to elect which of the following forms of consideration will apply to the acquisition of your securities:

Details of alternative terms.

[Empty text box for alternative terms]

If you do not elect which of the alternative forms of consideration will apply to the acquisition of your securities, the form of consideration that will apply will be:

Set out the terms that will apply

[Empty text box for terms that will apply]

5. Under section 661E of the Act, you have the right, within one month after being given this notice (see paragraph 8) or within 14 days after being given a statement requested under section 661D of the Act (as referred to in paragraph 4 of this notice), whichever is later, to apply to the Court for an order that the securities not be compulsorily acquired.

6. The bidder is entitled and bound to acquire the securities on the terms that applied under the takeover bid immediately before

Tick one box

this notice was given.

the end of the offer period.

7. Unless the Court otherwise orders, on application made by you under section 661E of the Act within one month after being given this notice (see paragraph 8) or within 14 days after being given a statement under section 661D (as referred to in paragraph 4 of this notice), whichever is the later, the bidder must comply with paragraph 6 of this notice.

8. A notice sent by post to you is taken to be given to you 3 days after it is posted.

Signature

Name of person signing

Tuan Do

Capacity

On behalf of the Regulated Entity named in this document as a secretary of that entity

Signature

Tuan Do

Date signed

05-Aug-2024 09:06

Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy ([www.asic.gov.au/privacy](http://www.asic.gov.au/privacy)) for information about how we handle your personal information, your rights to seek access to and correct personal information and to complain about breaches of your privacy,

For personal use only

---

Lodgement

For more information

Web [www.asic.gov.au](http://www.asic.gov.au)  
Need help? [www.asic.gov.au/question](http://www.asic.gov.au/question)  
  
Telephone 1300 300 630

---

For personal use only

5 August 2024

Dear Metallica securityholder

## Diatreme's Offer for Metallica – Compulsory acquisition of Metallica Shares

As you may be aware, Diatreme Resources Limited ACN 061 267 061 (ASX: DRX) (**Diatreme**) recently made an off-market takeover offer for all the shares in Metallica Minerals Limited ACN 076 696 092 (ASX: MLM) (**Metallica**) (**Offer**).

Diatreme has acquired a relevant interest in more than 90% of the fully paid ordinary shares in Metallica (**Metallica Shares**) and has acquired more than 75% of the Metallica Shares that it offered to acquire under the Offer. Accordingly, Diatreme will now exercise its right to compulsorily acquire the remaining Metallica Shares in which Diatreme does not have a relevant interest under the compulsory acquisition provisions of the *Corporations Act 2001* (Cth) (**Corporations Act**).

Under the compulsory acquisition provisions of the Corporations Act, Diatreme will acquire any Metallica Shares remaining after the close of the Offer and any Metallica Shares issued within 6 weeks of the date it gives the compulsory acquisition notice due to the exercise of any options in Metallica. The compulsory acquisition will be on the same terms as the Offer.

On completion of the compulsory acquisition procedure, Diatreme will issue to Metallica the consideration for the Metallica Shares that it compulsorily acquires. You will then be entitled to claim the consideration from Metallica. Metallica will give notice to shareholders once it has received the consideration and advise as to how you may claim the consideration to which you are entitled. Subject to the Corporations Act, this is expected to occur no earlier than 6 weeks after the date of this letter. If you have accepted the Offer before the scheduled close at 7:00pm (Sydney time) on 6 August 2024, you will receive your consideration within ten business days of acceptance (subject to the terms of the Offer).

See also the enclosed copy of ASIC Form 6021 Notice of compulsory acquisition following takeover bid (**Notice**), which sets out the compulsory acquisition process and your rights.

Under ASX Listing Rule 17.4, ASX will suspend quotation of Metallica Shares 5 business days after the date of the Notice. Once suspended, ASX will remove Metallica from the official list at the close of trading on a date decided by ASX.

If you have any questions about the Offer, the Notice or the compulsory acquisition process, you should contact your legal, financial or other professional adviser or call the shareholder information line on 1300 636 752 (or +61 2 8318 7933 for overseas domiciled holders) between 8.30am (Sydney time) and 5.00pm (Perth time) Monday to Friday.

Yours sincerely

Wayne Swan  
Chairman  
Diatreme Resources Limited