



Celamin Holdings Limited

\$6m Damages Accrued to Date

Celamin Holdings Ltd

ASX Code: CNL/CNLO

ACN 139 255 771

ABN 82 139 255 771

Board and Management:

Robin Widdup	Chairman
Simon Eley	Managing Director
Taz Aldaoud	Non-Exec Director
Tim Markwell	Alternate Director to Robin Widdup

Company Secretary

Melanie Leydin

Securities on Issue

142,498,394	ordinary shares
69,270,074	listed options
8,656,616	unlisted options
135,027	unlisted options
3,787,500	unlisted options

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HIGHLIGHTS:

- **Tunisian court confirms penalty interest**
- **Damages, costs and interest owing to Celamin totals over A\$6m and increasing daily**

Celamin Holdings Limited (ASX: **CNL**, **Celamin** or the **Company**) received an award from the sole arbitrator of the International Court of Arbitration of the International Chamber of Commerce (ICC) on 29 November 2017 ordering the:

- Return of Celamin’s 51% interest in the Chaketma Phosphate Project; and
- Payment of damages and costs by Celamin’s former Tunisian partner, Tunisian Mining Services (TMS).

The Court of Appeal of Tunis issued orders enforcing the award on 4 April 2019⁽¹⁾.

As previously announced, the various damages and costs awarded totalled approximately US\$4m. TMS had 30 days from 29 November 2017 to pay this amount failing which a 5.5% penalty interest rate would be added daily until payment. For clarity, the interest is simple interest not compounding.

Celamin is yet to receive any payment of the damages and costs awarded and it is not clear when payment will be made. While TMS continues to be in breach of the award issued on 29 November 2017, as enforced by the Court of Appeal of Tunis⁽¹⁾, Celamin provides the below outline to enable shareholders to understand the amount TMS currently owes Celamin.

Background

On 29 November 2017 the sole arbitrator of the ICC awarded Celamin the following damages and costs:

Currency	Damages	Exchange Rate ⁽²⁾	US\$
US Dollars	2,358,000	1.00	2,358,000
Euro	1,252,936	1.12	1,406,252
Australian Dollars	260,597	0.71	185,585
Swiss Francs	42,238	1.00	42,217
Total			3,992,054

(1) ASX announcement 5 April 2019.

(2) Exchange rates as at 5 April 2019.

Exchange rates have obviously changed since late 2017 and will continue to impact the quantum of damages:

Damages (excluding penalty interest)	December 2017	April 2019
Euro/US\$ Exchange Rate	1.18	1.12
A\$/US\$ Exchange Rate	0.76	0.71
Swiss Franc/US\$ Exchange Rate	1.02	1.00
A\$m Equivalent of US\$ amount	A\$5.4m	A\$5.6m

The penalty interest amount increases by US\$602 per day and as at 5 April 2019 the penalty interest amount totals US\$296,000 (A\$416,000) meaning the total amount currently payable by TMS to Celamin is **US\$4.3m (A\$6.05m)**.

Celamin intends to declare the total amount owing by TMS on a regular basis.

In addition, TMS owes Celamin A\$160,000 for a 2014 debt which increases the total amount claimed to US\$4.4m (A\$6.2m). The A\$160,000 debt remains subject to the outcome of an ongoing legal case.

Celamin is also pursuing civil and criminal claims in Tunisia against individuals and organisations in relation to the fraudulent transfer of Celamin's 51% interest in the Chaketma Phosphate Project in February 2015.