



## **ANNOUNCEMENT**

### **APPLICATION FOR WAIVER FROM COMPLIANCE WITH RULES 705(1) AND 707(1) OF THE SINGAPORE EXCHANGE SECURITIES TRADING LIMITED LISTING MANUAL SECTION B: RULE OF CATALIST ("CATALIST RULES") IN RELATION TO THE ANNOUNCEMENT OF UNAUDITED FINANCIAL STATEMENTS FOR THE FULL YEAR ENDED 31 DECEMBER 2017 ("FY2017") AND HOLDING OF THE ANNUAL GENERAL MEETING ("AGM") FOR FY2017**

EMS Energy Limited (the "**Company**", and together with its subsidiaries, the "**Group**") wishes to announce that the Company had on 1 March 2018 applied to the Singapore Exchange Securities Trading Limited (the "**SGX-ST**") for the following: -

- (a) a 2 months' extension of time to announce its unaudited financial statements for FY2017 ("**FY2017 Results**") from the current deadline of 1 March 2018 to 30 April 2018; and
- (b) a 2 months' extension of time to hold the Company's AGM for FY2017 from the current deadline of 30 April 2018 to 30 June 2018,

(the "**Extensions**").

#### **Bases for the Extensions**

- i) The Company has been working toward meeting the deadlines for the FY2017 Results and AGM for FY2017. However, the Company has experienced high staff turnover in the finance team of the Group in FY2017. The disruption of the staff movement has an impact on the accuracy of the financial data entry which causes delay of finalising its unaudited financial results for FY2017;
- ii) As announced on 28 November 2017, a creditor to the Scheme of Arrangement proposed by a wholly owned subsidiary of the Company, EMS Energy Solutions Pte Ltd ("**EES**") ("**EES Scheme**"), has indicated that it wishes to contest the application and the hearing of the High Court of the application for sanction of the EES Scheme was adjourned to 12 February 2018. However, the hearing was subsequently adjourned to 22 February 2018, and further extended to 27 February 2018 for judgement to be delivered. On 27 February 2018, the High Court requested for more disclosure on the inter-company position between EES and a related company, Koastal Industries Pte Ltd and that the creditors should have a chance to reconsider their votes in light of the clarified position. Further hearing date has been set on 6 March 2018 to address the most cost-effective way to canvass the creditors' views. Without the EES Scheme, EES would not be in a position to fulfill all its debts and liabilities, and accordingly, would not be able to prepare its financial statements for FY2017 on a going-concern basis. In the event EES Scheme is not approved for whatsoever reasons, the Company would need to consolidate the financial statements of EES for FY2017 on a liquidation basis. Consequently, the Company would require additional time to value EES's assets and liabilities during the preparation of its consolidated FY2017 Results; and
- iii) The Company's external auditors, BDO LLP, requires more time to perform and complete the audit for the financial results for FY2017, as the carrying amount of certain assets and liabilities of the Group will be potentially affected by the outcome of the Court's sanction of the EES Scheme.



The Company will make further announcements to update its shareholders on the outcome of the application for the Extensions in due course.

The Company has concurrently applied to Accounting and Corporate Regulatory Authority for an extension of 2 months till 30 June 2018 to hold its AGM and to lay its FY2017 financial statements at the said AGM.

By Order of the Board  
EMS Energy Limited

Chew Kok Liang  
Company Secretary  
1 March 2018

*This announcement has been prepared by EMS Energy Limited (the “**Company**”) and its contents have been reviewed by the Company’s sponsor, UOB Kay Hian Private Limited (the “**Sponsor**”) for compliance with the Singapore Exchange Securities Trading Limited (“**SGX-ST**”) Listing Manual Section B: Rules of Catalyst. The Sponsor has not verified the contents of this announcement.*

*This announcement has not been examined or approved by the SGX-ST. The Sponsor and the SGX-ST assume no responsibility for the contents of this announcement, including the accuracy, completeness or correctness of any of the information, statements or opinions made or reports contained in this announcement.*

*The contact persons for the Sponsor are Mr Alvin Soh, Head of Catalyst Operations, Senior Vice President, and Mr Lan Kang Ming, Vice President, at 8 Anthony Road, #01-01, Singapore 229957, telephone (65) 6590 6881.*