



# Kingsgate

Consolidated Limited

ABN 42 000 837 472

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Manager  
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## TAFTA Update

Kingsgate Consolidated Limited (ASX:KCN) (“Kingsgate” or the “Company”) advises that by mutual agreement with the Kingdom of Thailand, the holding period for the arbitral award under the Thailand-Australia Free Trade Agreement (“TAFTA”) has been extended until 30 September 2025.

This extension follows recent political developments in Thailand, including the appointment of a new Prime Minister and a new Mining Minister. Both parties agree that the extended timeframe of 12 months is appropriate to allow the new government to take shape and to provide sufficient time to pursue a mutually satisfactory resolution of the outstanding issues.

Kingsgate remains actively engaged with Thai government officials and is optimistic about achieving a beneficial outcome for both parties. Further, extending the holding period of the arbitral award does not impact the continued ramp up of the Chatree Gold Mine.

Further background on the Company’s TAFTA claim is provided in the annexure to this announcement.

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## **Annexure: Background on Kingsgate's TAFTA Claim**

### **TAFTA (Thailand-Australia Free Trade Agreement)**

The Thailand-Australia Free Trade Agreement ("TAFTA") is a bilateral trade agreement signed in 2004 to promote trade, services, and investment between Thailand and Australia. In effect since 2005, TAFTA includes important provisions for the protection of Australian investments in Thailand, including guarantees for investors' rights. These rights encompass impartial dispute resolution through international arbitration and compensation in cases of expropriation of assets.

### **Closure of the Chatree Gold Mine**

In 2016, the Thai Ministry of Industry made the unprecedented decision not to renew the metallurgical license required for the continued operation of the Chatree Gold Mine. Shortly after, a directive from then-Prime Minister General Prayut ordered the mine's closure. As a result, the Chatree Gold Mine was placed into care and maintenance on December 31, 2016.

In response, Kingsgate initiated legal proceedings in 2017, seeking damages under TAFTA for Thailand's breach of the agreement.

### **Arbitral Hearing and Holding Agreement**

An arbitral hearing took place in Singapore in February 2020. Although the tribunal indicated it was ready to issue an award, both Kingsgate and the Thai Government mutually agreed to defer the award ("Holding Agreement") to allow time for settlement discussions.

Between 2021 and 2024, settlement negotiations continued, with both parties recognizing the mutual benefit of reopening the Chatree mine. Given the progress made, Kingsgate and the Thai Government have jointly requested multiple extensions of the award deferral, with the latest Holding Agreement extended to 30 September 2025.