

Annexure A

SUPREME COURT OF VICTORIA

BEACH CLASS ACTION

Nelson & Nelson v Beach Energy Limited (ACN 007 617 969)

Proceeding No. S ECI 2021 04440

The Supreme Court of Victoria has ordered that you receive this notice because you may be a Group Member in the Beach Class Action.

IT IS IMPORTANT THAT YOU READ THIS NOTICE CAREFULLY BECAUSE IT MAY AFFECT YOUR LEGAL RIGHTS.

You may do one of three things in response to this notice:

1. **OPTION 1 – REGISTER.** You must register by **4:00pm (AEDT) on 7 November 2025** in order to be eligible to receive any compensation if there is a settlement reached on or before 21 September 2026. To participate in any such settlement, you must register your interest before the deadline.
2. **OPTION 2 – OPT OUT.** If you do not want your rights determined by the Beach Class Action, you must opt out by **4:00pm (AEDT) 7 November 2025**. If you opt out, your claim will not be resolved as part of the Beach Class Action but you may pursue such rights as you may have independently.
3. **OPTION 3 – DO NOTHING.** If you do nothing, you will remain a Group Member in the Beach Class Action but, subject to further order of the Court, you will not be permitted to participate in any settlement reached on or before 21 September 2026. This is because the Court has ordered that, if an in-principle settlement is reached between the Plaintiffs and Defendant, Beach Energy Limited (**Beach**), by that date, subject to any further order of the Court, Group Members who neither opted out, nor registered (i.e. those who “do nothing”) by the 4:00pm (AEDT) on 7 November 2025 (the **Class Deadline**) will be bound by the settlement reached but will not be able to seek any benefit under that settlement. For more information please visit <https://www.slatergordon.com.au/class-actions/current-class-actions/beach-energy-limited-class-action>

A. WHAT IS A CLASS ACTION?

1. A class action is a legal case in which one or more Plaintiffs make a claim for themselves and on behalf of other people. The people make a claim together because their claims arise out of the same, similar, or related circumstances. The group of people are referred to as 'Group Members'.
2. Group Members in a class action are not individually responsible for the legal costs associated with bringing the class action. In a class action, only the Plaintiff is responsible for the costs. Further information regarding the funding of the class action is in D below.
3. If a class action is resolved — either by the Court delivering a judgment, or by an agreed settlement that is approved by the Court — the resolution binds all persons who are Group Members unless they have opted-out of the class action. Once the Beach Class Action is resolved, Group Members will not be able to pursue the same claims against the Defendant, Beach Energy Limited (**Beach**), in other legal proceedings and may not be able to pursue similar or related claims.

B. WHY HAVE YOU RECEIVED THIS NOTICE?

1. The purpose of this notice is to inform you of a class action in the Supreme Court of Victoria brought against Beach and to provide you with options regarding your participation in the Beach Class Action.
2. The Supreme Court of Victoria has ordered that you receive this Notice because, according to information contained in the share register of Beach, you may be a Group Member in this class action, or because you have provided your contact details to the solicitors for the Plaintiffs.
3. You are a Group Member if you:
 - (a) at any time during the period 17 August 2020 to 29 April 2021 (inclusive) (**Claim Period**):
 - (i) acquired an interest in, or entered into a contract to acquire an interest in, ordinary shares in Beach (**Beach Shares**) including:
 - A. fully paid-up ordinary shares in Beach traded on the Australian Stock Exchange (**ASX**); and/or
 - B. American Depositary Receipts that represent ordinary shares in Beach; and/or
 - (ii) acquired a long exposure to Beach Shares by entering into equity swap confirmations in respect of Beach Shares (**Beach Equity Swaps**);

- (b) allege to have suffered loss or damage by reason of the conduct of Beach alleged in the claim; and
 - (c) were not during any part of the Claim Period, and were not as at 25 November 2021, any of the following:
 - (i) a related party (as defined by s 228 of the *Corporations Act 2001* (Cth)) (the **Corps Act**) of Beach;
 - (ii) a related body corporate (as defined by s 50 of the Corps Act) of Beach;
 - (iii) an associated entity (as defined by s 50AAA of the Corps Act) of Beach;
 - (iv) a director or officer (as defined by s 9 of the Corps Act) of Beach, or a relative of:
 - A. a director or officer of Beach; or
 - B. the spouse of a director or officer of Beach; or
 - (v) the Chief Justice, or a Justice or Registrar of the Supreme Court of Victoria, or the High Court of Australia.
4. If you are unsure whether or not you are a Group Member, you should contact the solicitors for the Plaintiffs, Slater & Gordon Lawyers (**Slater & Gordon**) on bpt@slatergordon.com.au or 1800 071 827 or at <https://www.slatergordon.com.au/class-actions/current-class-actions/beach-energy-limited-class-action>, or seek your own legal advice without delay.

C. YOUR THREE (3) OPTIONS

1. The purpose of this Notice is to advise you that this proceeding has been commenced and to notify you of your three options, which are explained below.

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| <u>OPTION 1 – REGISTER YOUR INTEREST TO RECEIVE COMPENSATION</u> |
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2. To become a **Registered Group Member**, you must register your claim by **4:00pm (AEDT) on 7 November 2025** by:
- (a) completing the online registration form available at the Website <https://www.slatergordon.com.au/class-actions/current-class-actions/beach-energy-limited-class-action>; or
 - (b) completing the **"OPTION 1: REGISTRATION FORM"** at Schedule 1 to this Notice and sending it by post or email to the Plaintiffs' solicitors, Slater & Gordon.

3. Registration gives the parties to the proceeding information about the potential value of all the claims of Group Members who seek to share in compensation from any settlement of the proceeding. This information assists the parties to the proceeding to determine a fair and reasonable settlement.
4. Becoming a Registered Group Member does not mean that you:
 - (a) enter into a contract with Slater & Gordon; or
 - (b) will be liable to pay any “out of pocket” costs to Slater & Gordon.
5. There are only two possible outcomes for Registered Group Members:
 - (a) in the event of a settlement or final judgment in favour of the Plaintiffs, and assuming you meet all eligibility criteria, you will be entitled to receive a share of the settlement or award of damages, with a single fee (described further in D below) deducted from the total settlement or award of damages for legal costs to be paid to Slater & Gordon for running the Beach Class Action; or
 - (b) in the event that the Beach Class Action does not settle, and the class action is unsuccessful, you will not receive any settlement or award of damages and you will not be liable for legal costs or required to pay anything.

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| <u>OPTION 2 – OPT OUT AND CEASE TO BE A GROUP MEMBER</u> |
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6. If you do not want your rights determined by the Beach Class Action **you must opt out** by **4:00pm (AEDT) on 7 November 2025**.
7. Group Members who opt out will:
 - (a) cease to be Group Members in the Beach Class Action;
 - (b) not be bound by the outcome of the Beach Class Action and will not receive any compensation that may be achieved from a settlement or following trial in this proceeding; and
 - (c) be able to commence their own court proceedings against Beach if they wish, provided they commence those proceedings within the time limits applicable to their claims.
8. A Group Member can opt out by:
 - (a) completing the online opt out notice at the Supreme Court of Victoria website at: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/beach-energy/opting-out>; or
 - (b) completing an **"OPTION 2: OPT OUT NOTICE"** at Schedule 2 to this Notice and returning the completed notice to the Commercial Court Registry of the Supreme Court of Victoria by email to beachenergyclassaction@supcourt.vic.gov.au or by post to:

Commercial Court Registry
Supreme Court of Victoria
210 William Street,
Melbourne, VIC, 3000

Each Group Member seeking to opt out should fill out a separate opt out notice.

9. If you wish to opt out, you must do so by **4.00pm (AEDT) on 7 November 2025**. Opt-out notices received after this deadline will not be accepted without leave of the Court and you will remain a Group Member.
10. If you are unsure how opting out will affect your rights or the applicable time limit prior to opting out, you should seek independent legal advice.

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| <u>OPTION 3 – DO NOTHING</u> |
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11. If you do nothing following receipt of this Notice (i.e. neither opt-out or register):
 - (a) you will remain an **unregistered** Group Member in the Beach Class Action; and
 - (b) **if an in-principle settlement is reached** between the Plaintiffs and Beach on or before 21 September 2026, you **will not** be entitled to participate in that settlement. Further, you will be bound by the terms of the settlement including any releases (despite not being eligible to participate in the settlement). This means that your right to bring a claim against Beach (and potentially its related entities and officers) for matters related to those canvassed in the Beach Class Action will be extinguished; or
 - (c) **if there is no settlement** by 21 September 2026, you will be bound by the final judgment, and you will be entitled to obtain compensation and/or damages (if you satisfy the eligibility criteria set down by the Court) in the event that the Court finds in favour of the Plaintiffs and Group Members. If the Plaintiffs are unsuccessful, or not as successful as you might have wished, you will not be able to sue on the same claim in any other proceedings.

If you do not want to risk missing out on the option to participate in any settlement of the Beach Class Action, you should register your claim as per Option 1 above.

D. FUNDING OF BEACH CLASS ACTION

1. You will **not become liable for any out-of-pocket legal costs** by remaining a Group Member or by registering in the Beach Class Action.
2. The Supreme Court of Victoria has ordered that the legal costs payable to the solicitors

for the Plaintiffs will be 24.5% (incl. GST) of the amount of any award of damages or settlement in the proceeding. This order is subject to review by the Court in the event of a successful outcome.

3. Group Members will not be exposed to any out of pocket costs a result of participating in the proceeding. If the Beach Class Action is unsuccessful, Group Members will have no liability for legal costs and will not be required to pay anything.

E. FURTHER QUESTIONS ABOUT THE BEACH CLASS ACTION

1. Copies of relevant documents may be obtained by:
 - (a) accessing the Slater & Gordon website at <https://www.slatergordon.com.au/class-actions/current-class-actions/beach-energy-limited-class-action>;
 - (b) accessing the Supreme Court of Victoria website at <https://www.supremecourt.vic.gov.au/areas/group-proceedings/beach-energy>;
 - (c) contacting Slater and Gordon at bpt@slatergordon.com.au or by telephone on 1800 071 827 between 9:00am to 5:00pm and requesting a copy; or
 - (d) visiting the Commercial Court Registry of the Supreme Court of Victoria at 450 Little Bourke Street, Melbourne.
2. If you are unclear about whether you are a Group Member, or if you have any other questions regarding the Beach Class Action, you should contact Slater & Gordon by telephone on 1800 071 827 or by emailing bpt@slatergordon.com.au or seek independent legal advice without delay.
3. If you wish to register but require assistance, please call Slater & Gordon between 9:00am to 5:00pm. At the time of your call, please ensure you have all available information relevant to your trading in Beach Shares.

SCHEDULE 1

OPTION 1: GROUP MEMBER REGISTRATION FORM

BEACH CLASS ACTION (S ECI 2021 04440)

If you would like to **REGISTER** for the Beach Class Action please complete and return this form to Slater and Gordon Lawyers by email or post at the below address by **4:00pm AEDT on 7 November 2025**. Alternatively, you may complete an online version of this registration form at: <https://www.slatergordon.com.au/class-actions/current-class-actions/beach-energy-limited-class-action>

By post: Attn: Beach Class Action
Slater and Gordon Lawyers
Lvl 35, 530 Collins St
Melbourne, VIC 3000

By email: bpt@slatergordon.com.au

| | |
|---|--|
| First Name | |
| Last Name | |
| Address | |
| Email | |
| Contact number | |
| Owner of shares (if different from above, as in the case of shares held by a Self-Managed Super fund, Company or Trust) | |
| ABN/ACN (if applicable) | |
| HIN/SRN (if known): | |

Please answer the question below and provide details of all acquisitions and disposals of Beach shares between 17 August 2020 and 29 April 2021 (inclusive) in the table on the next page.

You must also provide **documentation** of those transactions either with this form or emailed separately. DO NOT SEND ORIGINAL DOCUMENTS, they will not be returned to you. You may email documentation to bpt@slatergordon.com.au

Documentation may include brokerage statements, contract notes, CHESS statements, full transaction history statements, and dividend confirmation statements.

How many Beach shares did you hold at **close** of trade on 16 August 2020?

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| # | Date | Transaction Type (e.g. Buy, Sell, Acquired, Disposed DRP) | Volume | Price per share | Total value |
|----|------|---|--------|-----------------|-------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
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| 11 | | | | | |
| 12 | | | | | |
| 13 | | | | | |
| 14 | | | | | |
| 15 | | | | | |

If you made more than fifteen trades in Beach shares relevant to your claim, **we strongly advise you register your claim online** to reduce the risk of error, however you may attach additional sheets if required.

Equity Swaps

An equity swap is a derivative contract where two parties exchange the return on an underlying equity asset, like a stock or stock index, for the return on another asset, usually a fixed or floating interest rate.

If you are a holder of Beach Equity Swaps, when returning this form (via post or email) please also provide to the extent available to you:

- (a) copies of the instruments and documents for each equity swap and related transaction (including any back-to-back transaction); and
- (b) details of all other arrangements entered into in connection with each equity swap.

SCHEDULE 2

OPTION 2: OPTING OUT

BEACH CLASS ACTION (S ECI 2021 04440)

NOTICE OF OPTING OUT BY GROUP MEMBER

ONLY COMPLETE THIS FORM IF YOU WISH TO **OPT OUT** OF THE BEACH CLASS ACTION. IF YOU OPT OUT, YOU WILL **NO LONGER** BE A GROUP MEMBER.

IF YOU WISH TO REGISTER TO PARTICIPATE, YOU MUST COMPLETE THE **OPTION 1** REGISTRATION

This form may only be completed by a group member personally, or by a director of a company which is a group member, a person who is an executor of an estate of a person who is a group member, a power of attorney of a person who is a group member or a solicitor acting for a group member.

To: Commercial Court Registry
Supreme Court of Victoria
210 William Street
Melbourne Victoria 3000
beachenergyclassaction@supcourt.vic.gov.au

I, [print name] , am
(select **one** option only)

- ☐ a group member;
- ☐ a director of [company] which is a group member;
- ☐ an Executor for the Estate of [print name] who is a group member;
- ☐ a power of attorney for [print name] who is a group member; or
- ☐ a solicitor acting for [print name] who is a group member,
- in the above group proceeding, and give notice under section 33J(2) of the *Supreme Court Act 1986* that I am **opting out** of this proceeding.

| | |
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| Date: | |
| Signature of group member (or authorised representative): | |
| Email address of group member: | |
| Postal address of group member: | |

If you would like to opt out of the Beach Class Action, please complete this form online via the Supreme Court of Victoria website **OR** return this completed form to the Supreme Court of Victoria by email or by post, at the addresses on this form, by **4.00 pm (AEDT) on 7 November 2025.**