

## NOVA EYE COMPLETES DESPATCH OF ENTITLEMENT OFFER

**Nova Eye Medical Limited** (ASX: EYE) (**Nova Eye Medical** or the **Company**), confirms that the Retail Entitlement Offer Booklet ("**Retail Offer Booklet**") and personalised entitlement and acceptance form in connection with the 1 for 8 non-renounceable retail entitlement offer (**Retail Entitlement Offer**) as announced on 12 February 2024, was despatched Eligible Retail Shareholders today. The Retail Entitlement Offer is fully underwritten by E&P Corporate Advisory Pty Ltd ACN 137 980 520, MST Financial Services Pty Ltd ACN 617 475 180 and Taylor Collison Limited ACN 008 172 450.

The attached letter to ineligible Retail Shareholders notifying them of the Retail Entitlement Offer and their ineligibility to participate has also been despatched.

A copy of the Retail Offer Booklet was released to the ASX today and is available at: <https://www.computersharecas.com.au/novaeyeoffer>

### **Retail Entitlement Offer**

Eligible retail shareholders at the Record Date of 7:00pm (Sydney time) Wednesday, 14 February 2024, with a registered address in Australia, New Zealand, Hong Kong, or Singapore (**Eligible Retail Shareholders**) will be invited to participate in the Retail Entitlement Offer at the Offer Price. The Retail Entitlement Offer opened today and will close at 5:00pm (Sydney time) on Friday, 8 March 2024 unless extended.

### **Shareholder Enquiries**

Eligible Shareholders are encouraged to carefully read the Retail Offer Booklet for further details related to the Retail Entitlement Offer.

If you require further assistance in relation to the details of the Retail Entitlement Offer, please do not hesitate to contact EYE's Offer Information Line on 1300 556 161 (within Australia) or +61 3 9415 4000 (from outside Australia) at any time between 8.30am to 5.00pm (Sydney time), Monday to Friday, during the Offer Period. or visit Offer Website is: <https://www.computersharecas.com.au/novaeyeoffer>

### **Not for distribution or release in the United States**

This Retail Offer Booklet does not constitute an offer to sell, or a solicitation of an offer to buy, any securities in the United States. The shares to be issued in the Retail Entitlement Offer are being offered and sold outside the United States in 'offshore transactions' as defined and in reliance on Regulation S under the US Securities Act.

**Authorised for lodgement by the Board of Directors of Nova Eye Medical Limited.**

– ENDS –

**Company**

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Dear Shareholder,

**ACCELERATED PRO-RATA NON-RENOUCEABLE ENTITLEMENT OFFER – NOTIFICATION TO INELIGIBLE RETAIL SHAREHOLDERS**

On Monday, 12 February 2024, Nova Eye Medical Limited (**Nova Eye**) announced that it was conducting an institutional placement (**Placement**) to raise A\$3.0 million and a fully underwritten accelerated non-renounceable entitlement offer (**Entitlement Offer**) of new fully paid ordinary shares in Nova Eye (**New Shares**) on a 1 for 8.0 basis, at an offer price of A\$0.21 per New Share (**Offer Price**) to raise up to approximately A\$5.0 million. The Entitlement Offer together with the Placement are referred to in this letter as the **Offer** or **Equity Raising**.

Proceeds from the Equity Raising will be used to advance near-term growth opportunities across Nova Eye's Glaucoma business, including expanding the geographical presence of iTrack™ Advance sales in the US and Europe, and to broaden the product portfolio in Glaucoma surgical devices, as well as the other purposes disclosed in Nova Eye's announcements released to the ASX on Monday, 12 February 2024.

E&P Corporate Advisory Pty Ltd ("**E&P**") is acting as sole bookrunner to the offer. E&P, MST Financial Services Pty Ltd, and Taylor Collison Limited, are acting as joint lead managers to the Offer ("**Joint Lead Managers**") and underwriters to the Entitlement Offer.

The Entitlement Offer comprises an institutional component (**Institutional Entitlement Offer**) and a retail component (**Retail Entitlement Offer**). The Institutional Entitlement Offer and Placement have already closed and the results were announced to ASX on Wednesday, 14 February 2024.

This letter is to inform you about the Retail Entitlement Offer and to explain why you will not be able to subscribe for New Shares under the Retail Entitlement Offer. This letter is not an offer to issue New Shares to you, nor an invitation to you to apply for New Shares. **You are not required to do anything in response to this letter.**

**Details of the Entitlement Offer**

The Entitlement Offer is being made by Nova Eye in accordance with section 708AA of the Corporations Act 2001 (Cth) (the **Corporations Act**) as modified by ASIC Corporations (Non-Traditional Rights Issues) Instrument 2016/84 and ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73), meaning that no prospectus or other disclosure document under the Corporations Act needs to be prepared.

An offer booklet in relation to the Retail Entitlement Offer will be lodged with the ASX and dispatched to Eligible Retail Shareholders today (Monday, 19 February 2024) (**Retail Offer Booklet**).

The Retail Entitlement Offer is being made to Eligible Retail Shareholders on the basis of 1 New Share for 8.0 existing Nova Eye ordinary shares held at 7.00pm (Sydney time) on Wednesday, 14 February 2024 (**Record Date**).

### Eligibility Criteria

Shareholders who are eligible to participate in the Retail Entitlement Offer (**Eligible Retail Shareholders**) are those persons who:

1. are registered as a holder of fully paid ordinary shares in Nova Eye as at 7.00pm (Sydney time) on the Record Date;
2. have an address on the Nova Eye register in Australia or New Zealand or are an 'Approved Foreign Shareholder' (as defined in the Offer Booklet) as recorded on Nova Eye's share register on the Record Date;
3. are not in the United States and are not a person (including a nominee or custodian) acting for the account or benefit of a person in the United States;
4. were not invited to participate in the Institutional Entitlement Offer (other than as a nominee or custodian, in each case in respect of other underlying holders) and were not otherwise treated as an ineligible institutional shareholder under the Institutional Entitlement Offer); and
5. are eligible under all applicable securities laws to receive an offer under the Retail Entitlement Offer.

Nova Eye has determined, pursuant to section 9A(3) of the Corporations Act and ASX Listing Rule 7.7.1(a), and having regard to a range of factors, that it would be unreasonable on this occasion to make offers to shareholders under the Retail Entitlement Offer in all countries outside Australia or New Zealand (and except to certain 'Approved Foreign Shareholders' as defined in the Retail Offer Booklet). This is due to the legal and regulatory requirements in countries other than Australia or New Zealand and the potential costs to Nova Eye of complying with these requirements, compared with the relatively small number of shareholders in those countries, the relatively small number of existing Nova Eye ordinary shares they hold and the relatively low value of New Shares for which those shareholders would otherwise be entitled to subscribe.

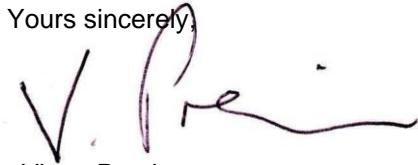
The Joint Lead Managers and each of their affiliates and related bodies corporate and each of their respective directors, officers, partners, employees, advisers and agents disclaim any liability in respect of any determination as to eligibility, to the maximum extent permitted by law.

Unfortunately, according to our records, you do not satisfy the eligibility criteria for an Eligible Retail Shareholder as stated above. Accordingly, in compliance with ASX Listing Rule 7.7.1(b) and section 9A(3) of the Corporations Act, Nova Eye wishes to advise you that it will not be extending the Retail Entitlement Offer to you and you will not be able to subscribe for New Shares under the Retail Entitlement Offer. You will not be sent the documents relating to the Retail Entitlement Offer or be able to subscribe for New Shares under the Retail Entitlement Offer.

As the Retail Entitlement Offer is non-renounceable, entitlements in respect of any New Shares that would have been offered to you if you were an Eligible Retail Shareholder will lapse and you will not receive any payment or value for those entitlements. Entitlements are not tradeable on ASX or otherwise transferrable. If you have any questions in relation to any of the above matters, please contact the Nova Eye Offer Information Line on 1300 556 161 (within Australia) or +61 3 9415 4000 (outside Australia) from 8.30am to 5.30pm (Sydney time), Monday to Friday. For other questions, you should consult your broker, solicitor, accountant, financial adviser or other professional adviser.

On behalf of Nova Eye, we regret that you are not eligible to participate in the Entitlement Offer and thank you for your continued support.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'V. Previn', with a long horizontal flourish extending to the right.

Victor Previn  
Executive Chairman  
Nova Eye Medical Limited