

## Annual Statement to NSX

For announcement to the market.

*Note: Advisers that do not currently have NSX listed clients please answer question 1 only. All other Advisers please answer all questions. Once completed please return this statement to NSX.*

We DLA Piper Australia

Name of Nominated Adviser (firm)

And we currently act for the following NSX listed entities (if applicable)

AUSTRALIAN UNITED RETAILERS LIMITED (t/a FOODWORKS)

*Note: if you do not act for any currently listed companies then write "not applicable".*

Certify to the following:

1. That the firm and responsible officers registered as NSXA Nominated Advisers continue to meet the eligibility criteria set out in the attached Appendix including but not limited to:

- Employment of Staff
- Sufficiency of Staff
- Independence
- Continuing Eligibility

Yes / No

*Note: if you do not continue to meet the relevant criteria please advise details of your non-compliance and if this non-compliance in any way affects the services provided to the listed entities of which you are a Nominated Adviser.*

; and

2. That in respect to an entity or entities listed on the NSX and for whom we act as a Nominated Adviser, we are acting independently, responsibly and in a professional manner in ensuring the compliance with NSX's applicable rules and practice notes. We have attached, to this statement, an overview of how we manage conflicts of interest with our clients; and

Yes / No

3. That at the date of this statement we are not aware of any breach of NSX's applicable rules or Corporations Act in relation to the relevant entity, which has not previously been advised to the NSX by the entity and its director's. *Note: Provide details of any breach, if known, and not previously advised.*

Yes / No

Name of Responsible Officer Steven Casper, Partner, DLA Piper Australia

Signature

*DLA Piper Australia per S. Casper*

Date Signed

4 November 2013