

**23 December 2016**

**AIM: CHL**

**CHURCHILL MINING PLC**  
(“Churchill” or “the Company”)

**UPDATE**

Further to the announcement of 7 December 2016, the Directors of Churchill Mining plc (AIM:CHL) advise that they are continuing to work with their solicitors Clifford Chance LLP on a detailed analysis of the award and a review of potential grounds to seek revision and / or annulment of this award pursuant to Section 5 of the ICSID Convention.

The provisions of Section 5 of the ICSID Convention are set out below:

**Section 5**

**Interpretation, Revision and Annulment of the Award**

**Article 50**

(1) If any dispute shall arise between the parties as to the meaning or scope of an award, either party may request interpretation of the award by an application in writing addressed to the Secretary-General.

(2) The request shall, if possible, be submitted to the Tribunal which rendered the award. If this shall not be possible, a new Tribunal shall be constituted in accordance with Section 2 of this Chapter. The Tribunal may, if it considers that the circumstances so require, stay enforcement of the award pending its decision.

**Article 51**

(1) Either party may request revision of the award by an application in writing addressed to the Secretary-General on the ground of discovery of some fact of such a nature as decisively to affect the award, provided that when the award was rendered that fact was unknown to the Tribunal and to the applicant and that the applicant's ignorance of that fact was not due to negligence.

(2) The application shall be made within 90 days after the discovery of such fact and in any event within three years after the date on which the award was rendered.

(3) The request shall, if possible, be submitted to the Tribunal which rendered the award. If this shall not be possible, a new Tribunal shall be constituted in accordance with Section 2 of this Chapter.

(4) The Tribunal may, if it considers that the circumstances so require, stay enforcement of the award pending its decision. If the applicant requests a stay of enforcement of the award in his application, enforcement shall be stayed provisionally until the Tribunal rules on such request.

## Article 52

(1) Either party may request annulment of the award by an application in writing addressed to the Secretary-General on one or more of the following grounds:

- (a) that the Tribunal was not properly constituted;
- (b) that the Tribunal has manifestly exceeded its powers;
- (c) that there was corruption on the part of a member of the Tribunal;
- (d) that there has been a serious departure from a fundamental rule of procedure; or
- (e) that the award has failed to state the reasons on which it is based.

(2) The application shall be made within 120 days after the date on which the award was rendered except that when annulment is requested on the ground of corruption such application shall be made within 120 days after discovery of the corruption and in any event within three years after the date on which the award was rendered.

(3) On receipt of the request the Chairman shall forthwith appoint from the Panel of Arbitrators an ad hoc Committee of three persons. None of the members of the Committee shall have been a member of the Tribunal which rendered the award, shall be of the same nationality as any such member, shall be a national of the State party to the dispute or of the State whose national is a party to the dispute, shall have been designated to the Panel of Arbitrators by either of those States, or shall have acted as a conciliator in the same dispute. The Committee shall have the authority to annul the award or any part thereof on any of the grounds set forth in paragraph (1).

(4) The provisions of Articles 41-45, 48, 49, 53 and 54, and of Chapters VI and VII shall apply *mutatis mutandis* to proceedings before the Committee.

(5) The Committee may, if it considers that the circumstances so require, stay enforcement of the award pending its decision. If the applicant requests a stay of enforcement of the award in his application, enforcement shall be stayed provisionally until the Committee rules on such request.

(6) If the award is annulled the dispute shall, at the request of either party, be submitted to a new Tribunal constituted in accordance with Section 2 of this Chapter.

The timing deadlines for the lodgement of any applications by Churchill are accordingly as follows:

- |   |            |  |
|---|------------|--|
| 1 | Article 51 | (i) 90 days after discovery of a significant new fact; or<br>(ii) no later than 3 years from date of the Award (6 Dec 2019). |
| 2 | Article 52 | (i) 120 days from date of award (6 April 2017); or   |

- (ii) in the event where annulment is requested on the ground of corruption, the application must be made within 120 days after discovery of the corruption; or
- (iii) no later than 3 years from the date of the Award (6 Dec 2019).

The Company expects to be able to finalize its position in regard to seeking revision and / or annulment of this Award by 31 January 2017.

As part of any application to revise and / or annul this Award, Churchill would also seek a provisional stay of the costs orders that have been made.

The suspension in trading of the Company's shares on AIM will continue to remain in place pending clarification of the Company's financial position which can only be assessed in light of the Directors' decision on the filing of a revision and / or annulment application and the subsequent position on the USD 9.4m costs order.

Churchill Chairman David Quinlivan said "*we remain troubled by many aspects of this Award.*"

This announcement contains inside information for the purposes of Article 7 of EU Market Abuse Regulation 596/2014.

ENDS

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