



21 August 2020

ASX Compliance  
Reference: 22790

## BIOXYNE LIMITED (“BXN”): Price Query

In response to your letter dated 20 August 2020, we respond as follows:

1. *Is BXN aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?*

No.

*In responding to this question, please consider in particular whether BXN is aware of any information that its earnings for the 12 month period ending on 30 June 2020:*

*(a) are likely to differ materially (downwards or upwards) from any earnings guidance it has given for the period; or*

*(b) if BXN has not given any earnings guidance for the period, are otherwise likely to come as a surprise to the market (by reference to analyst forecasts for the period or, if BXN is not covered by analysts, its earnings for the prior corresponding period)?*

BXN has not given any profit guidance other than as outlined in its quarterly report lodged with the ASX on 31 July 2020. The earnings for the 12 month period ending on 30 June 2020 should be in line with the information provided in the quarterly Appendix 4C lodged with ASX on 31 July 2020.

2. *If the answer to question 1 is “yes”.*

*(a) Is BXN relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in BXN’s securities would suggest to ASX that such information may have ceased to be confidential and therefore BXN may no longer be able to rely on Listing Rule 3.1A.*



Accordingly, if the answer to this question is “yes”, you need to contact us immediately to discuss the situation.

N/A

*(b) Can an announcement be made immediately? Please note, if the answer to this question is “no”, you need to contact us immediately to discuss requesting a trading halt (see below).*

N/A

*(c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made? 3. If the answer to question 1 is “no”, is there any other explanation*

No.

2. *If the answer to question 1 is “no”, is there any other explanation that BXN may have for the recent trading in its securities?*

No.

3. *Please confirm that BXN is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.*

We confirm that BXN is in compliance with the Listing Rules and particular Listing Rule 3.1.

4. *Please confirm that BXN’ responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of BXN with delegated authority from the board to respond to ASX on disclosure matters.*

The responses to the questions above have been approved by the Board.

Guy Robertson  
Company Secretary



20 August 2020

Reference: 22790

Mr Guy Robertson  
Chief Financial Officer  
Bioxyne Limited  
Suite 506, Level 5, 50 Clarence St  
Sydney, NSW 2000

By email:

Dear Mr Robertson

**Bioxyne Limited ('BXN'): Price - Query**

ASX refers to the following:

- A. The change in the price of BXN's securities from a low of \$0.012 to a high of \$0.02 today.
- B. The significant increase in the volume of BXN's securities traded today.

**Request for information**

In light of this, ASX asks BXN to respond separately to each of the following questions and requests for information:

- 1. Is BXN aware of any information concerning it that has not been announced to the market, which, if known by some in the market, could explain the recent trading in its securities?

In responding to this question, please consider in particular whether BXN is aware of any information that its earnings for the 12 month period ending on 30 June 2020:

- (a) are likely to differ materially (downwards or upwards) from any earnings guidance it has given for the period; or
  - (b) if BXN has not given any earnings guidance for the period, are otherwise likely to come as a surprise to the market (by reference to analyst forecasts for the period or, if BXN is not covered by analysts, its earnings for the prior corresponding period)?
- 2. If the answer to question 1 is "yes".
    - (a) Is BXN relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in BXN's securities would suggest to ASX that such information may have ceased to be confidential and therefore BXN may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
    - (b) Can an announcement be made immediately? Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
    - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
  - 3. If the answer to question 1 is "no", is there any other explanation that BXN may have for the recent trading in its securities?

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4. Please confirm that BXN is complying with the Listing Rules and, in particular, Listing Rule 3.1.
  5. Please confirm that BXN's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of BXN with delegated authority from the board to respond to ASX on disclosure matters.

#### **When and where to send your response**

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **9:30 AM AEST Friday, 21 August 2020**. You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, BXN's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require BXN to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsComplianceSydney@asx.com.au**. It should not be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

#### **Trading halt**

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in BXN's securities under Listing Rule 17.1. If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.

We require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

#### **Suspension**

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in BXN's securities under Listing Rule 17.3.

#### **Listing Rules 3.1 and 3.1A**

In responding to this letter, you should have regard to BXN's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure*: Listing Rules 3.1 – 3.1B. It should be noted that BXN's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

#### **Release of correspondence between ASX and entity**

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We reserve the right to release a copy of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

**Questions**

If you have any questions in relation to the above, please do not hesitate to contact me.

Kind regards

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**Corey Lian**  
Adviser, Listings Compliance (Sydney)