



2 September 2022

Ms Melissa Kostopoulos  
Adviser, Listings Compliance (Melbourne)  
Level 4, North Tower, Rialto  
525 Collins Street  
Melbourne VIC 3000

By email: [ListingsComplianceMelbourne@asx.com.au](mailto:ListingsComplianceMelbourne@asx.com.au)

Dear Ms Kostopoulos,

**Response to ASX Price Query**

Noxopharm Limited (ASX: EX1) ("**Noxopharm**" or the "**Company**") refers to your Price Query letter dated Thursday 1 September 2022 and provides the following responses:

1. The Company is not 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.
2. The Company has no other explanation as to why there has been a price and volume change in the trading of the Company's securities.
3. The Company confirms that it is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
4. The Company confirms that this response has been authorised and approved by the Board of Directors.

Yours sincerely,

A handwritten signature in black ink, appearing to read "D. Franks".

David Franks  
Company Secretary



1 September 2022

Reference: 58558

Mr David Franks  
Company Secretary  
Noxopharm Limited  
Tower A, The Zenith  
Level 20, 821 Pacific Highway  
Chatswood, NSW

By email: David.Franks@atomicgroup.com.au

Dear Mr Franks

**Noxopharm Limited ('NOX'): Price - Query**

ASX refers to the following:

- A. The change in the price of NOX's securities from a low of \$0.245 at close of trading yesterday to a high of \$0.290 today.
- B. The significant increase in the volume of NOX's securities traded today.

**Request for information**

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

- 1. Is NOX 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?

If the answer to question 1 is "yes".

- (a) Is NOX relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in NOX's securities would suggest to ASX that such information may have ceased to be confidential and therefore NOX 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?
- 2. If the answer to question 1 is "no", is there any other explanation that NOX may have for the recent trading in its securities?
  - 3. Please confirm that NOX is complying with the Listing Rules and, in particular, Listing Rule 3.1.
  - 4. Please confirm that NOX'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 NOX with delegated authority from the board to respond to ASX on disclosure matters.

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### **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, 2 September 2022**. 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, NOX'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 NOX to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsComplianceMelbourne@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 NOX'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 NOX's securities under Listing Rule 17.3.

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

In responding to this letter, you should have regard to NOX'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 NOX'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**

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.

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Regards

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**Melissa Kostopoulos**  
Compliance Adviser, Listings Compliance (Melbourne)