

By email: stub.equity@asic.gov.au

Dear Kim,

**Response to Consultation Paper 312 – Stub Equity in Control transactions
(Non-confidential submission)**

NSX is a licensed market operator and is the second largest listing exchange in Australia. As a Tier 1 marketplace, the fundamental purpose of NSX is capital formation; that is, bringing together companies which require capital to fund growth, with investors who have capital and are looking for investment opportunities. Through its role as a securities exchange and as an alternative market providing competition to ASX, NSX sees itself as facilitating innovation, diversification of investment, economic growth and job creation in the Australian economy due to its focus on companies with a sub \$50m market-cap. The aims of NSX are facilitated by a diverse and effective base of market participants who act as the essential intermediaries in matching investors with opportunities. NSX makes this submission against a background and ambition of ensuring the existence and longevity of a viable listed company and participant community which is able to cater to the needs of a diverse range of investors and issuers.

NSX is a licensed market operator functioning under the same regulatory framework as other market operators, and the companies that are listed on NSX are subject to the disclosure obligations required under the Corporations Act.

Considering these points, NSX requests that during the preparation of any legislative instruments and guidance that the opportunity is used to revise references to ASX-listed companies or managed investment schemes to one that caters for companies that are listed on the market of any licensed market operator.

Other than what is requested above, NSX doesn't have any other comments regarding what is proposed or in response to the questions raised in this Consultation Paper.

We look forward to hearing ASIC's further thinking on this matter.

NSX confirms that no part of this response is confidential and that ASIC may publish it in its entirety.

Yours sincerely,

(sent electronically without signature)

John Williams
Head of Admissions

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