

1 October 2009

Emma Badhni Senior Adviser, Issuers (Sydney) Australian Stock Exchange 20 Bridge Street SYDNEY, NSW 2000

By Email

## **RE: PRICE QUERY**

We refer to your inquiry in relation to a decrease in the Company's share price high of \$0.46 on Wednesday, 30 September 2009 to a low of \$0.335 today and an increase in volume of trading in the securities over the same period.

- 1. The company is not aware of any information concerning it, that has not been announced and which, if known, may reasonably be regarded as an explanation for recent trading in the Company's securities.
- 2. Not applicable
- 3. Although the Company has made no specific enquires to ascertain the reasons for today's price change, there may be several reasons for the change:
  - The Company released its statutory accounts to the market today and there may have been some expectations from shareholders that the split of revenue received by country for the Company would have been higher in Malaysia than that of its revenue in China. The ramp up on the Malaysian project has been slower than expected but the Company was able to offset this through its Chinese contracts;
  - The statutory accounts also showed an amortisation charge of \$3.77 million for a three month period. Some shareholders may consider an annualised figure of \$15 million to be higher than expected although this is a non-cash expense; and
  - The market may have been expecting a further update on the current cash position of the business, of which the Company did not provide in addition to the statutory accounts. The Company made an announcement of the first receipt of cash for the sale of its Nexcode product on 15 June 2009 and the Company stated at that time it would not be providing cash updates on a regular basis in the future. The Company is maintaining this position.

4. The Company confirms that it is in compliance with ASX Listing Rules and, in particular, Listing Rule 3.1 (immediate notification of material information).

Yours Faithfully,

Peter Dykes Director



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1 October 2009

Mr Peter Dykes Company Secretary Nexbis Limited Level 40 100 Miller Street North Sydney NSW 2060

By Email

Dear Peter

Nexbis Limited (the "Company")

## RE: PRICE QUERY

We have noted a change in the price of the Company's securities from a high of \$0.46 on Wednesday, 30 September 2009 to a low of \$0.335 today. We have also noted an increase in the volume of trading in the securities over this period.

In light of the price change and increase in volume, please respond to each of the following questions.

1. Is the Company aware of any information concerning it that has not been announced which, if known, could be an explanation for recent trading in the securities of the Company?

Please note that as recent trading in the Company's securities could indicate that information has ceased to be confidential, the Company is unable to rely on the exceptions to listing rule 3.1 contained in listing rule 3.1A when answering this question.

2. If the answer to question 1 is yes, can an announcement be made immediately? If not, why not and when is it expected that an announcement will be made?

Please note, if the answer to question 1 is yes and an announcement cannot be made immediately, you need to contact us to discuss this and you may need to consider a trading halt (see below).

- 3. Is there any other explanation that the Company may have for the price change and increase in volume in the securities of the Company?
- 4. Please confirm that the Company is in compliance with the listing rules and, in particular, listing rule 3.1.

Your response should be sent to me by e-mail or by facsimile on facsimile number (02) 9241 7620. It should <u>not</u> be sent to the Company Announcements Office.

Unless the information is required immediately under listing rule 3.1, a response is requested as soon as possible and, in any event, not later than half an hour before the start of trading (ie before 9.30 a.m. AEST) on Friday, 2 October.

Australian Securities Exchange

Under listing rule 18.7A, a copy of this query and your response will be released to the market, so your response should be in a suitable form and separately address each of the questions asked. If you have any queries or concerns, please contact me immediately.

## Listing rule 3.1

Listing rule 3.1 requires an entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities. The exceptions to this requirement are set out in listing rule 3.1A.

In responding to this letter you should consult listing rule 3.1 and Guidance Note 8 – Continuous Disclosure: listing rule 3.1.

If the information requested by this letter is information required to be given to ASX under listing rule 3.1 your obligation is to disclose the information immediately.

Your responsibility under listing rule 3.1 is not confined to, or necessarily satisfied by, answering the questions set out in this letter.

## Trading halt

If you are unable to respond by the time requested, or if the answer to question 1 is yes and an announcement cannot be made immediately, you should consider a request for a trading halt in the Company's securities. As set out in listing rule 17.1 and Guidance Note 16 – Trading Halts we may grant a trading halt at your request. We require the request to be in writing. We are not required to act on your request. You must tell us each of the following.

- 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.
- Any other information necessary to inform the market about the trading halt, or that we ask for.

The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. If a trading halt is requested and granted and you are still unable to reply to this letter before the commencement of trading, suspension from quotation would normally be imposed by us from the commencement of trading if not previously requested by you. The same applies if you have requested a trading halt because you are unable to release information to the market, and are still unable to do so before the commencement of trading.

If you have any queries regarding any of the above, please let me know.

Yours Sincerely,

(Sent electronically without signature)

Emma Badhni Senior Adviser, Issuers (Sydney)