

Appendix: Comparison of NSXA Business Rules and ASIC Market Integrity Rules (NSXA Market) 2010

Table 1: Composition of ASIC Market Integrity Rules (NSXA Market) 2010 (ASIC/NSXA MIR)

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
Chapter 1: Introduction	N/A	<i>[Chapter heading]</i>
Part 1.1 Preliminary	N/A	<i>[Part heading]</i>
1.1.1 Enabling legislation	N/A	New MIR
1.1.2 Title	N/A	New MIR
1.1.3 Commencement	N/A	New MIR
1.1.4 Scope of these Rules	N/A	New MIR
1.1.5 Entities that must comply with these Rules	N/A	New MIR
1.1.6 Conduct by officers, employees or agents	N/A	New MIR
1.1.7 State of mind of a person	N/A	New MIR
Part 1.2 Waivers	N/A	<i>[Part heading]</i>
1.2.1 Waiver of Rules	N/A	New MIR
1.2.2 Compliance with conditions	N/A	New MIR
1.2.3 Period during which relief applies	N/A	New MIR
1.2.4 Register	N/A	New MIR

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
Part 1.3 Notice, notification and service of documents	N/A	<i>[Part heading]</i>
1.3.1 Market Participant to have email system	N/A	New MIR
1.3.2 Methods of giving notice in writing	N/A	New MIR
Part 1.4 Interpretation	N/A	<i>[Part heading]</i>
1.4.1 References to time	N/A	New MIR
1.4.2 Words and expressions defined in the Corporations Act	N/A	New MIR
1.4.3 Definitions	NSXA Listing Rules and Business Rules Definitions	ASIC has adopted a number of definitions from the NSXA Listing Rules and Business Rules Definitions, with drafting amendments.
Chapter 2: The Market Participant	N/A	<i>[Chapter heading]</i>
Part 2.1 Market Participant restrictions	N/A	<i>[Part heading]</i>
2.1.1 Director for more than one Market Participant	Part A Rule 8.3	ASIC has adopted NSXA Business Rule Part A Rule 8.3, with drafting amendments.
2.1.2 Market Participant requirements	Part A Rule 10	ASIC has adopted NSXA Business Rule Part A Rule 10, with drafting amendments.
Chapter 3: Market Participant business	N/A	<i>[Chapter heading]</i>
Part 3.1 Responsible Officers	N/A	<i>[Part heading]</i>
3.1.1 Responsible Officer requirements	Part A Rule 10A.2	ASIC has adopted NSXA Business Rule Part A Rule 10A.2, with drafting amendments.

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
Part 3.2 Processes	N/A	<i>[Part heading]</i>
3.2.1 Management structures	Part A Rule 10A.4	ASIC has adopted NSXA Business Rule Part A Rule 10A.4, with drafting amendments.
Part 3.3 Good character	N/A	<i>[Part heading]</i>
3.3.1 Good character determination	Part A Rule 11.1	ASIC has adopted NSXA Business Rule Part A Rule 11.1, with drafting amendments.
Chapter 4 Regulation of Market Participant activities	N/A	<i>[Chapter heading]</i>
Part 4.1 Australian Financial Services Licence	N/A	<i>[Part heading]</i>
4.1.1 Australian Financial Services Licence requirement	Part A Rule 15.5	ASIC has adopted NSXA Business Rule Part A Rule 15.5, with drafting amendments.
Part 4.2 Common ownership of Market Participants	N/A	<i>[Part heading]</i>
4.2.1 Market Participant association	Part A Rule 8.2	ASIC has adopted NSXA Business Rule Part A Rule 8.2, with drafting amendments.
4.2.2 Market Participant association notification	Part A Rule 16.1(f)	ASIC has adopted NSXA Business Rule Part A Rule 16.1(f), with drafting amendments.
Part 4.3 Insurance	N/A	<i>[Part heading]</i>
4.3.1 Requirement to have insurance	Part A Rule 21.1	ASIC has adopted NSXA Business Rule Part A Rule 21.1, with drafting amendments.
4.3.2 Certificate of insurance	Part A Rule 21.3	ASIC has adopted NSXA Business Rule Part A Rule 21.3, with drafting amendments.

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
4.3.3 Claims	Part A Rule 21.4	ASIC has adopted NSXA Business Rule Part A Rule 21.4, with drafting amendments.
Part 4.4 Market Participant responsibility	N/A	<i>[Part heading]</i>
4.4.1 Ensuring compliance	Part A Rule 23.1	ASIC has adopted NSXA Business Rule Part A Rule 23.1, with drafting amendments.
Part 4.5 Disclosure required when acting As Principal	N/A	<i>[Part heading]</i>
4.5.1 Record of Substantial Shareholders and Prescribed Persons	Part B Rule 2.1	ASIC has adopted NSXA Business Rule Part B Rule 2.1, with drafting amendments.
4.5.2 Prohibition on brokerage charges	Part B Rule 2.3	ASIC has adopted NSXA Business Rule Part B Rule 2.3, with drafting amendments.
4.5.3 Transaction on behalf of a person associated with the Market Participant	Part B Rule 2.4	ASIC has adopted NSXA Business Rule Part B Rule 2.4, with drafting amendments.
4.5.4 Wholesale Client brokerage commission	Part B Rule 2.5	ASIC has adopted NSXA Business Rule Part B Rule 2.5, with drafting amendments.
Part 4.6 Allocation	N/A	<i>[Part heading]</i>
4.6.1 Allocation policy	Part B Rule 3.1	ASIC has adopted NSXA Business Rule Part B Rule 3.1, with drafting amendments.
Part 4.7 Prohibition of advice to Client	N/A	<i>[Part heading]</i>
4.7.1 Client definition	Part B Rule 4.1	ASIC has adopted NSXA Business Rule Part B Rule 4.1, with drafting amendments.
4.7.2 Prohibition on advice to Client where in possession of certain information	Part B Rule 4.2	ASIC has adopted NSXA Business Rule Part B Rule 4.2, with drafting amendments.

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
4.7.3 Chinese Walls exception	Part B Rule 4.3	ASIC has adopted NSXA Business Rule Part B Rule 4.3, with drafting amendments.
4.7.4 Advice exceptions	Part B Rule 4.4	ASIC has adopted NSXA Business Rule Part B Rule 4.4, with drafting amendments.
Part 4.8 Expenses	N/A	<i>[Part heading]</i>
4.8.1 Out-of-pocket expenses	Part B Rule 7.1	ASIC has adopted NSXA Business Rule Part B Rule 7.1, with drafting amendments.
Part 4.9 Beneficial ownership	N/A	<i>[Part heading]</i>
4.9.1 Nominee shareholdings	Part B Rules 8.1, 8.2, 8.3	ASIC has adopted NSXA Business Rule Part B Rules 8.1, 8.2, 8.3, with drafting amendments.
Part 4.10 Disclosure of shortfall	N/A	<i>[Part heading]</i>
4.10.1 A Market Participant with an Underwriting shortfall	Part B Rule 9.1	ASIC has adopted NSXA Business Rule Part B Rule 9.1, with drafting amendments.
Chapter 5: Discretionary accounts and managed funds	N/A	<i>[Chapter heading]</i>
Part 5.1 Authorisation	N/A	<i>[Part heading]</i>
5.1.1 Authorisation required	Part B Rule 10.1	ASIC has adopted NSXA Business Rule Part B Rule 10.1, with drafting amendments.
5.1.2 Dealing in Securities of the Market Participant	Part B Rule 10.2	ASIC has adopted NSXA Business Rule Part B Rule 10.2, with drafting amendments.
Part 5.2 Excessive Transactions	N/A	<i>[Part heading]</i>

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
5.2.1 Excessive transactions on discretionary accounts	Part B Rule 11.1	ASIC has adopted NSXA Business Rule Part B Rule 11.1, with drafting amendments.
Part 5.3 Discretionary account reports	N/A	<i>[Part heading]</i>
5.3.1 Client discretionary account report	Part B Rule 12.1	ASIC has adopted NSXA Business Rule Part B Rule 12.1, with drafting amendments.
Part 5.4 Discretionary account register	N/A	<i>[Part heading]</i>
5.4.1 Discretionary account register requirement	Part B Rule 13.1	ASIC has adopted NSXA Business Rule Part B Rule 13.1, with drafting amendments.
Part 5.5 Confirmation	N/A	<i>[Part heading]</i>
5.5.1 Confirmation requirement	Part B Rule 16.1	ASIC has adopted NSXA Business Rule Part B Rule 16.1, with drafting amendments.
5.5.2 Confirmation elements	Part B Rule 16.3	ASIC has adopted NSXA Business Rule Part B Rule 16.3, with drafting amendments.
5.5.3 Single confirmations	Part B Rule 16.4	ASIC has adopted NSXA Business Rule Part B Rule 16.4, with drafting amendments.
5.5.4 Where a single sale or purchase	Part B Rule 16.5	ASIC has adopted NSXA Business Rule Part B Rule 16.5, with drafting amendments.
Chapter 6: Trading principles	N/A	<i>[Chapter heading]</i>
Part 6.1 Preference of Orders	N/A	<i>[Part heading]</i>
6.1.1 Precedence for uncompleted Orders	Part B Rule 17.1	ASIC has adopted NSXA Business Rule Part B Rule 17.1, with drafting amendments.

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
6.1.2 Price differences	Part B Rule 17.2	ASIC has adopted NSXA Business Rule Part B Rule 17.2, with drafting amendments.
6.1.3 Requirement for consent of a principal or Director	Part B Rule 17.4	ASIC has adopted NSXA Business Rule Part B Rule 17.4, with drafting amendments.
6.1.4 Definition of employee	Part B Rule 17.5	ASIC has adopted NSXA Business Rule Part B Rule 17.5, with drafting amendments.
Part 6.2 Corners	N/A	<i>[Part heading]</i>
6.2.1 Identification of a corner	Part B Rule 18.1	ASIC has adopted NSXA Business Rule Part B Rule 18.1, with drafting amendments.
6.2.2 Arbitration	Part B Rule 18.2	ASIC has adopted NSXA Business Rule Part B Rule 18.2, with drafting amendments.
Part 6.3 Takeovers	N/A	<i>[Part heading]</i>
6.3.1 Takeover Announcement	Part C Rule 93.1	ASIC has adopted NSXA Business Rule Part C Rule 93.1, with drafting amendments.
6.3.2 Advice on the acceptance of shares	Part C Rule 93.2	ASIC has adopted NSXA Business Rule Part C Rule 93.2, with drafting amendments.
6.3.3 Acquisition of shares	Part C Rule 94.1	ASIC has adopted NSXA Business Rule Part C Rule 94.1, with drafting amendments.
6.3.4 Competing offers	Part C Rule 94.2	ASIC has adopted NSXA Business Rule Part C Rule 94.2, with drafting amendments.
6.3.5 Market Participant dealing with seller	Part B Rule 19.1	ASIC has adopted NSXA Business Rule Part B Rule 19.1, with drafting amendments.

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
Part 6.4 Trading Obligations of Market Participants	N/A	<i>[Part heading]</i>
6.4.1 Trading Message submitted by means of a Gateway Session	Part C Rule 6.2	ASIC has adopted NSXA Business Rule Part C Rule 6.2, with drafting amendments.
6.4.2 Organisational and technical resources	Part C Rule 6.5	ASIC has adopted NSXA Business Rule Part C Rule 6.5, with drafting amendments.
6.4.3 Market Participants must be able to determine the origin of all Orders and Trading Messages	Part C Rule 6.6	ASIC has adopted NSXA Business Rule Part C Rule 6.6, with drafting amendments.
6.4.4 Appropriate security procedures	Part C Rule 6.7	ASIC has adopted NSXA Business Rule Part C Rule 6.7, with drafting amendments.
Part 6.5 Orderly market	N/A	<i>[Part heading]</i>
6.5.1 Market Participant requirements for an orderly market	Part C Rule 7.1	ASIC has adopted NSXA Business Rule Part C Rule 7.1, with drafting amendments.
Part 6.6 Prevention of manipulative trading	N/A	<i>[Part heading]</i>
6.6.1 Creating a false or misleading appearance	Part C Rule 8.1	ASIC has adopted NSXA Business Rule Part C Rule 8.1, with drafting amendments.
6.6.2 Circumstances of the Order	Part C Rule 8.2	ASIC has adopted NSXA Business Rule Part C Rule 8.2, with drafting amendments.
6.6.3 Change of beneficial ownership	Part C Rule 8.3	ASIC has adopted NSXA Business Rule Part C Rule 8.3, with drafting amendments.
Part 6.7 Records and identification of Order source	N/A	<i>[Part heading]</i>
6.7.1 Record keeping	Part C Rule 11.1	ASIC has adopted NSXA Business Rule Part C Rule 11.1, with drafting amendments.

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
6.7.2 Transaction origin identifier	Part C Rule 11.2	ASIC has adopted NSXA Business Rule Part C Rule 11.2, with drafting amendments.
Part 6.8 Designated Trading Representatives	N/A	<i>[Part heading]</i>
6.8.1 Australian Financial Services Licence requirement	Part C Rule 13.3	ASIC has adopted NSXA Business Rule Part C Rule 13.3, with drafting amendments.
6.8.2 Personal account trading prohibition	Part C Rule 13.12	ASIC has adopted NSXA Business Rule Part C Rule 13.12, with drafting amendments.
Part 6.9 Securities of listed entities for which Official Quotation sought	N/A	<i>[Part heading]</i>
6.9.1 Dealing restriction	Part C Rule 21.1	ASIC has adopted NSXA Business Rule Part C Rule 21.1, with drafting amendments.
6.9.2 Exceptions	Part C Rule 21.2	ASIC has adopted NSXA Business Rule Part C Rule 21.2, with drafting amendments.
Part 6.10 Dealings in Securities for which Official Quotation is not sought	N/A	<i>[Part heading]</i>
6.10.1 Dealing restriction	Part C Rule 22.1	ASIC has adopted NSXA Business Rule Part C Rule 22.1, with drafting amendments.
Part 6.11 Dealings in Securities suspended from Official Quotation	N/A	<i>[Part heading]</i>
6.11.1 Dealing restriction	Part C Rule 23.1	ASIC has adopted NSXA Business Rule Part C Rule 23.1, with drafting amendments.
Chapter 7: Financial requirements and record keeping	N/A	<i>[Chapter heading]</i>

ASIC/NSXA MIR	NSXA Business Rules	Explanation of any differences
Part 7.1 Trust account	N/A	<i>[Part heading]</i>
7.1.1 Trust account requirement	Part E Rule 3.1	ASIC has adopted NSXA Business Rule Part E Rule 3.1, with drafting amendments.
7.1.2 Funds which must be deposited	Part E Rule 3.2	ASIC has adopted NSXA Business Rule Part E Rule 3.2, with drafting amendments.
7.1.3 Overnight account requirement	Part E Rule 3.3	ASIC has adopted NSXA Business Rule Part E Rule 3.3, with drafting amendments.
Chapter 8: Miscellaneous rules	N/A	<i>[Chapter heading]</i>
Part 8.1 Legal proceedings	N/A	<i>[Part heading]</i>
8.1.1 Market Participant to give written particulars	Part F Rule 5.1	ASIC has adopted NSXA Business Rule Part F Rule 5.1, with drafting amendments.

Table 2: Tracing NSXA Business Rules to ASIC Market Integrity Rules (NSXA Market) 2010

NSXA Business Rules	ASIC/NSXA MIR
NSXA Listing Rules and Business Rules Definitions	1.4.3 Definitions
PART A—PARTICIPANTS AND RESPONSIBLE OFFERS	
8 Common Ownership of participants	Part 4.2 Common ownership of Market Participants
8.3	2.1.1 Director for more than one Market Participant
ELIGIBILITY FOR ADMISSION TO EXCHANGE	
10 Participant	2.1.2 Market Participant requirements
10A Responsible Officers	Part 3.1 Responsible Officers
11 Character	3.3.1 Good character determination
REGULATION OF PARTICIPANT'S ACTIVITIES	
15 As a participant	4.1.1 Australian Financial Services Licence requirement
16 Information to be Supplied to the Exchange	4.2.2 Market Participant association notification
21 Insurance	Part 4.3 Insurance
23 Ensuring Compliance	4.4.1 Ensuring compliance
PART B—RELATIONS WITH CLIENTS	
2 Disclosure required when acting as principal	Part 4.5 Disclosure required when acting As Principal
3 Allocation Policy	Part 4.6 Allocation

NSXA Business Rules	ASIC/NSXA MIR
4 Prohibition of Advice to Client	Part 4.7 Prohibition of advice to Client
7 Expenses	Part 4.8 Expenses
8 Nominee shareholdings	4.9.1 Nominee shareholdings
9 Disclosure of shortfall	Part 4.10 Disclosure of shortfall
DISCRETIONARY ACCOUNTS AND MANAGED FUNDS	
10 Authorisation	Part 5.1 Authorisation
11 Excessive Transactions	Part 5.2 Excessive Transactions
12 Reports	5.3.1 Client discretionary account report
13 Register	Part 5.4 Discretionary account register
16 Confirmations	Part 5.5 Confirmations
17 Preference of Orders	Part 6.1 Preference of Orders
18 Corners	Part 6.2 Corners
19 Takeovers	Part 6.3 Takeovers
PART C—DEALING	
TRADING OBLIGATIONS OF PARTICIPANTS	
6 Responsibility of participants	Part 6.4 Trading Obligations of Market Participants
7 Orderly Market	Part 6.5 Orderly market

NSXA Business Rules	ASIC/NSXA MIR
8 Prevention of Manipulative Trading	Part 6.6 Prevention of manipulative trading
11 Records and identification of order Source	Part 6.7 Records and identification of Order source
13 Designated trading representatives	Part 6.8 Designated Trading Representatives
DEALING IN SECURITIES NOT YET GRANTED OFFICIAL QUOTATION	
21 Dealings in securities of Listed Entities For Which official quotation Sought	Part 6.9 Securities of listed entities for which Official Quotation sought
22 Dealings in securities for which official quotation is not sought	Part 6.10 Dealings in Securities for which Official Quotation is not sought
23 Dealings in securities Suspended from official quotation	Part 6.11 Dealings in Securities suspended from Official Quotation
TAKEOVERS	
93 Announcement	6.3.1 Takeover Announcement
94 Acquisition of Shares	6.3.3 Acquisition of shares
PART E—FINANCIAL REQUIREMENTS AND RECORD KEEPING	
RECORDS AND ACCOUNTS	
3 Trust Account	Part 7.1 Trust account
PART F—COMPENSATION ARRANGMENTS AND MISCELLANEOUS RULES	
5 Legal Proceedings	Part 8.1 Legal proceedings