

## **ASX Ltd's disgraceful conduct to gain commercial advantage against iSignthis Ltd**

**Melbourne, 26<sup>th</sup> October 2020** : ASX Ltd's release today of selective extracts from outdated correspondence between an iSignthis Ltd's EU subsidiary and Visa Europe Ltd is a disgraceful abuse of its privileged position as a licensed market operator. It is a blatant and undisguised effort to enhance its commercial position and attempt to sway opinion regarding the current Federal Court litigation brought by iSignthis.

iSignthis Ltd announced the termination of an agreement with Visa several months ago on 25 May 2020, and by doing so met its disclosure requirements. As clearly demonstrated by improving cashflow and revenues, the agreement, which had also not commenced delivery of services into Australia, was not material to iSignthis.

The documents (dated between March and May 2020) from which the extracts were sourced have been in ASX Ltd's possession since at least July 2020, yet the selective extracts have only been released after the passage of several months.

The extracts are irresponsible and is misleading to the market, because the documents held by ASX Ltd represent just 7 out of more than 200 confidential documents created in the course of a commercial dispute.

Their release constitutes a breach by the ASX Ltd of EU financial conduct laws, despite requests from Visa and iSignthis that these not be released. In not respecting the sovereign laws of the EU ASX Ltd have again demonstrated the lengths the ASX Ltd will go to try and discredit a commercial rival that has taken legal action against them.

The ASX Ltd approach to partially release of selective extracts is further evidence of misleading and deceptive conduct under s1041H of the Corporations Act by the ASX Ltd.

ASX Ltd has not released other more relevant information, including the fact that Visa is now the subject of a number of regulatory investigations in Europe and possibly Australia, related to the subject matter of the correspondence and its release.

Neither iSignthis nor its subsidiaries are under investigation for any operational matters, or for those matters raised by Visa. AUSTRAC has also confirmed that it has not engaged with any business or financial institution with regards to iSignthis' business operations.

ASX Ltd has issued iSignthis with 3 query letters on its dispute with Visa, each of which has been answered. While ASX Ltd has today released its query letters, in a departure from usual practice, ASX Ltd has not released iSignthis' replies to Visa, thus ensuring that there is not a fully informed market.

Most concerning to iSignthis was ASX Ltd's recent demands that it waive legal professional privilege and hand to ASX Ltd legal advice received in relation to the Visa dispute. ASX Ltd does not have the right to make such demands, despite it claiming it does so under listing rules.

John Karantzis, Managing Director of iSignthis said *"It would appear that ASX Ltd is trying to create a public controversy where one did not exist. There have been a number of serious governance failures of high profile ASX listed companies lately with the ASX Ltd having been silent on each of these. iSignthis clearly draws disproportional attention and criticism from the ASX Ltd, whose requirements of iSignthis continue to be inconsistent with those of every other listed entity on the exchange.*

*There is not a single auditor, independent expert, or regulator in any jurisdiction that has issued any serious or material adverse report or notice against iSignthis or its subsidiaries. The ASX Ltd alone stands out in its continuous and unjustified attacks on the Company, as it seeks to further its commercial interests by abuse of the listing rules and its position as a licensed market operator."*

\*Ends\*