

New Zealand.



ANALYSIS.

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1902, No. 24.

- Title. AN ACT to provide for the Licensing of Sharebrokers and the Registration of Stock Exchanges. [1st October, 1902.]
- BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
- Short Title. 1. The Short Title of this Act is "The Sharebrokers Act, 1902"; and it shall come into operation on the first day of January, one thousand nine hundred and three.
- Interpretation. 2. In this Act, if not inconsistent with the context,—
"Shares" includes shares and stock in any company;
"Sharebroker" means any person who sells or purchases any shares for or on behalf of or as agent for any other person in consideration of remuneration for effecting such sale or purchase.
- LICENSED SHAREBROKERS.
- Sharebrokers to be licensed. 3. (1.) No person shall act as a sharebroker unless he is the holder of a sharebroker's license as hereinafter provided.
(2.) Every person who commits a breach of this section is liable for each offence to a penalty not exceeding one hundred pounds.
- Commissioner to issue licenses. 4. (1.) Any person who desires to obtain a sharebroker's license shall make application in writing to the Commissioner of Stamps, who shall, on payment of a fee of two pounds, issue a license to any person whose application for a license is approved of by a Stipendiary Magistrate of the district in which the applicant resides: Provided that before recording his approval it shall be the duty of the Stipendiary Magistrate to satisfy himself as to the fitness of the applicant.

(2.) Such license shall, unless sooner cancelled, continue in force until the thirty-first day of December then next, and may be renewed from year to year on payment of a fee of two pounds.

5. (1.) In case of the illness or absence from the colony of a licensed sharebroker whose license has not been cancelled, he may give notice in writing to the Commissioner that he intends to appoint some other specified person to act as his substitute for a period mentioned in the notice, not exceeding six months.

Appointment of a substitute.

(2.) Such substitute shall, if approved by the Commissioner, and on payment of a fee of ten shillings, be registered, and shall thereupon begin to be a licensed sharebroker within the meaning of this Act for the period mentioned in the notice.

(3.) No sharebroker who has appointed a substitute under this section shall himself act as a sharebroker until ten days after he has given the Commissioner notice in writing that he intends to resume business personally as a sharebroker, and upon the expiration of such period of ten days his substitute shall cease to act as a sharebroker.

6. Where it is proved to the satisfaction of the Commissioner of Stamps that any sharebroker has, within the preceding three years, been guilty of dishonest, dishonourable, or improper practices, it shall be lawful for the Commissioner to suspend or cancel the license of that sharebroker.

Commissioner may cancel license for misconduct.

7. In all proceedings against a person for acting as a sharebroker without a license, such person shall be deemed to be unlicensed unless at the hearing of the case he produces his license, or otherwise proves to the satisfaction of the Court that he was duly licensed as a sharebroker under this Act.

When person deemed unlicensed.

8. (1.) The Commissioner of Stamps shall keep a register in his office containing a list of all licenses issued, and shall duly register in his office all cancellations of licenses under this Act, and shall cause a notice to be inserted in the *Gazette*, specifying in such notice the particulars of the license so cancelled.

Register of licenses.

(2.) Any person may search such register on payment of a fee of one shilling.

Search fee.

STOCK EXCHANGES.

9. (1.) Every Stock Exchange or association of sharebrokers shall, within one month after the commencement of this Act, or, in the case of a Stock Exchange or association formed after the commencement of this Act, then within one month after its formation, forward to the Commissioner of Stamps a list of its members and a duly certified copy of its rules.

Stock Exchanges may be registered.

(2.) The Commissioner shall, on payment of a fee of one pound, enter in a register the aforesaid particulars, and thereupon such Stock Exchange or association shall become a registered Stock Exchange under this Act:

Provided that an association of sharebrokers shall not be registered as a Stock Exchange unless there are at least seven members thereof.

10. It shall not be lawful for any association of sharebrokers or others to use a style or title into which there enter the words "Stock Exchange" unless the association is registered under this Act.

Use of words "Stock Exchange."

Penalty.

11. If default is made in the due observance of the last preceding section hereof, every person who is directly or indirectly party to or concerned in such default shall be liable to a penalty not exceeding five pounds for every day on which the default occurs or is continued.

Rules may be made.

12. Subject to the provisions of this Act, every registered Stock Exchange may make rules for the conduct of the business of such Exchange and the conduct of its members.

Rules to be approved.

13. The rules of a Stock Exchange registered under this Act shall be such only as shall have been approved by the Governor in Council and gazetted.