



**THE ENERGY COMPANIES (MERCURY ENERGY LIMITED)  
VESTING ORDER 1993**

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CATHERINE A. TIZARD, Governor-General

**ORDER IN COUNCIL**

At Wellington this 20th day of September 1993

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to section 47 (1) of the Energy Companies Act 1992, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister of Energy, hereby makes the following order.

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**ORDER**

**1. Title**—This order may be cited as the Energy Companies (Mercury Energy Limited) Vesting Order 1993.

**2. Interpretation**—(1) In this order, unless the context otherwise requires,—

“The Act” means the Energy Companies Act 1992:

“The Board” means the Auckland Electric Power Board:

“The company” means Mercury Energy Limited:

“The Trust” means the Auckland Energy Consumer Trust, being the trust referred to by that name in the establishment plan approved by the Minister in respect of the Board on the 24th day of June 1993.

(2) Expressions not defined in this order but defined in the Act have in this order, the meanings so defined.

**3. Appointment of date for vesting of undertaking of Board in successor company**—The 1st day of October 1993 is hereby appointed as the date on which the undertaking of the Board shall, by virtue of section 47 (1) (a) of the Act, vest in the company.

**4. Equity securities to be issued by company**—(1) The equity securities that shall be issued by the company consequent upon the vesting in it of the undertaking of the Board shall be—

- (a) 102,020,202 fully paid up Class A shares of \$1.00 each on the terms specified in the articles of association of the company; and
- (b) 197,979,798 fully paid up Class B shares of \$1.00 each on the terms specified in the articles of association of the company.

(2) The equity securities referred to in subclause (1) of this clause shall be issued to the following persons jointly in their capacity as trustees of the Trust:

- (a) Frederick Joseph Burnard Beattie:
- (b) William Keith Allan Berry:
- (c) Suzanne Shirley Corbett:
- (d) Patrick Eamon Dempsey:
- (e) Ailsa Patricia Duffy:
- (f) Bryan Wallace Herbert:
- (g) Stanley Arthur Lawson:
- (h) Peter Franklin O'Brien:
- (i) Robert Corbett Western.

(3) The equity securities referred to in subclause (1) of this clause shall be issued on the 1st day of October 1993.

MARIE SHROFF,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the order, but is intended to indicate its general effect.*

This order is made pursuant to section 47 (1) of the Energy Companies Act 1992.

The order appoints 1 October 1993 as the date on which the energy undertaking of the Auckland Electric Power Board shall vest in its successor company, Mercury Energy Limited. The order—

- (a) Specifies the equity securities that shall be issued by the company consequent upon the vesting in it of the undertaking of the Board; and
- (b) Specifies the persons to whom those equity securities shall be issued.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 23 September 1993.

This order is administered in the Ministry of Commerce.