



Securities Act (OM-IP Companies) Exemption Amendment Notice 2003

Pursuant to the Securities Act 1978, the Securities Commission gives the following notice.

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Notice

1 Title

- (1) This notice is the Securities Act (OM-IP Companies) Exemption Amendment Notice 2003.
- (2) In this notice, the Securities Act (OM-IP Companies) Exemption Notice 1999¹ is called “the principal notice”.

¹ SR 1999/426

2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

3 Interpretation

Clause 2(1) of the principal notice is amended by omitting the words “ED&F Man International Limited” from paragraph (c) of the definition of **OM-IP company**, and substituting the words “Man Financial Limited”.

4 Further conditions

Clause 8(a) of the principal notice is amended by revoking subparagraph (iv), and substituting the following subparagraphs:

- “(iv) the annual guarantee notices, stating the current amount of the guarantee provided by the guarantor of the obligations of the OM-IP company in respect of the offer of specified equity securities by the OM-IP company; and
- “(iva) a statement of the incorporation details of the guarantor referred to in subparagraph (iv); and
- “(ivb) a statement of the registration details of the guarantor referred to in subparagraph (iv) as—
- “(A) a bank that is licensed or otherwise authorised by the central banking authority of a country, state, or territory other than New Zealand to carry on the business of banking in that country, state, or territory; or
- “(B) a registered bank (within the meaning of section 2(1) of the Reserve Bank of New Zealand Act 1989); and”.

Dated at Wellington this 7th day of October 2003.

The Common Seal of the Securities Commission was affixed in the presence of:

[L.S.]

J. Diplock,
Chairperson.

Explanatory note

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

This notice, which comes into force on the day after the date of its notification in the *Gazette*, amends the Securities Act (OM-IP Companies) Exemption Notice 1999 to—

- update the definition of **OM-IP company** to refer to the current name of the company that is the ultimate beneficial owner of equity securities in the OM-IP companies; and

- allow OM-IP companies to have their obligations in respect of offers of specified equity securities guaranteed by banks other than Westpac Banking Corporation.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 9 October 2003.

This notice is administered in the Securities Commission.
