



Securities Act (Mission Energy Pacific Holdings) Exemption Notice 2001

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

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Notice

1 Title

This notice is the Securities Act (Mission Energy Pacific Holdings) Exemption Notice 2001.

2 Commencement

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

3 Expiry

This notice expires on the close of 31 May 2006.

4 Interpretation

(1) In this notice, unless the context otherwise requires,—

Act means the Securities Act 1978

Contact means Contact Energy Limited

First Schedule means the First Schedule of the Regulations

Mission Contact means Mission Contact Finance Limited

Mission Energy means Mission Energy Pacific Holdings

Regulations means the Securities Regulations 1983.

- (2) Any term or expression that is defined in the Act or the Regulations and used, but not defined, in this notice has the same meaning as in the Act or the Regulations.

5 Exemption

- (1) Mission Energy, Mission Contact, and every person acting on behalf of either or both of them are exempted from clauses 7(2), 9(1), 9(2), 10(1)(a), 10(1)(c), 11(2)(c), 11(3)(f), 11(3)(g), 12, 13, 15(3), 15(4), 16(2)(c)(i), 16(2)(d)(i), 17, 18, 20, and 41 of the First Schedule to the extent that those provisions require information about Contact to be included in a registered prospectus containing an offer of fixed rate redeemable preference shares in Mission Contact.
- (2) The exemption is subject to the conditions that—
- (a) it is a term of the offer that, within 5 days of receiving a request from a person to whom the offer is made, Mission Contact will send, or ensure that there is sent, to that person—
- (i) a copy of the most recent audited financial statements of Contact contained in Contact's 2000 annual report; and
- (ii) a copy of Contact's interim financial statements as at 31 March 2001:
- (b) the registered prospectus and the investment statement relating to the offer each contain a statement that Mission Contact will, within 5 days of receiving a request from a person to whom the offer is made, send, or ensure that there is sent, to that person a copy of the financial statements referred to in paragraph (a).

Dated at Wellington this 29th day of May 2001.

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

[L.S.]

E. H. Abernethy,
Chairman.

Explanatory note

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

This notice comes into force on the day after the date of its notification in the *Gazette* and expires on 31 May 2006.

The notice applies to offers of fixed rate redeemable preference shares offered to the public for subscription by Mission Contact Finance Limited. The principal purpose of the offer is to finance or refinance the purchase by Mission Energy Pacific Holdings of shares in Contact Energy Limited. The transaction is structured in a way that, under the Securities Act 1978, Mission Energy Pacific Holdings may be an issuer of the shares and, as a result, may need to disclose in the registered prospectus for the shares information about Contact Energy Limited.

The notice exempts Mission Energy Pacific Holdings and Mission Contact Finance Limited, subject to conditions, from provisions of the First Schedule of the Securities Regulations 1983 that would require the disclosure in the registered prospectus for the shares of certain information about Contact Energy Limited.

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

Date of notification in *Gazette*: 31 May 2001.

This notice is administered in the Securities Commission.
