



**THE SECURITIES ACT (AUSTRALIAN ISSUERS) EXEMPTION
NOTICE 1994, AMENDMENT NO. 1**

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

NOTICE

1. Title and commencement—(1) This notice may be cited as the Securities Act (Australian Issuers) Exemption Notice 1994, Amendment No. 1 and shall be read together with and deemed part of the Securities Act (Australian Issuers) Exemption Notice 1994* (hereinafter referred to as the principal notice).

(2) This notice shall come into force on the day after the date of its notification in the *Gazette*.

2. Interpretation—Clause 2(1) of the principal notice is hereby amended by adding to the definition of the term “Australian issuer” the following paragraph:

“(c) A company incorporated in a country other than Australia that has applied to be admitted to the official list of the Australian Stock Exchange.”.

3. Meaning of “Australian prospectus”—Clause 3 of the principal notice is hereby amended by inserting, after paragraph (d), the following paragraph:

“(da) Where the Australian issuer is a person described in paragraph (c) of the definition of that term in clause 2(1) of this notice, that contains a statement that that person has made an application to be admitted to the official list of the Australian Stock Exchange; and”.

Dated at Wellington this 15th day of August 1995.

The Common Seal of the Securities Commission was hereunto 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, which comes into force on the day after the date of its notification in the *Gazette*, amends the Securities Act (Australian Issuers) Exemption Notice 1994.

That notice defines the term "Australian issuer" to mean a company incorporated in Australia or a company incorporated in a country other than Australia that is listed on the Australian Stock Exchange and applies to offers of equity securities by Australian issuers and to offers of equity securities issued by Australian issuers where the offers are made by the existing holders of those securities. The effect of the notice is to allow such offers to be made using a prospectus that complies with Australian law.

This notice extends the term "Australian issuer" to include a company incorporated in a country other than Australia that has made an application for listing on the Australian Stock Exchange.

The notice also amends the definition of the term "Australian prospectus" in clause 3 of the principal notice. The effect of this amendment is that where the prospectus contains an offer of equity securities by a company that has applied for listing on the Australian Stock Exchange or an offer of equity securities issued by any such company made by the holders of the securities, the prospectus must contain a statement that the company has applied to be listed on the Australian Stock Exchange.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 17 August 1995.
This notice is administered in the Securities Commission.