



**THE SECURITIES ACT (MAUSOLEUM MARKETING LIMITED)  
EXEMPTION NOTICE 1991**

---

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 (Mausoleum Marketing Limited) Exemption Notice 1991.

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

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

“The Act” means the Securities Act 1978:

“The company” means Mausoleum Marketing Limited:

“The mausoleum” means the public mausoleum to be constructed by the company at the South Auckland Cemetery in Manakau City:

“The Regulations” means the Securities Regulations 1983:

“Scheme” means the scheme for the disposition of licences to occupy chambers at the mausoleum:

“Specified participatory securities” means participatory securities relating to the scheme of which the company is the issuer.

(2) Any term or expression which is not defined in this notice, but which is defined in the Act or the Regulations, has the meaning given to it by the Act or the Regulations.

**3. Mausoleum Marketing Limited exempted from certain provisions of the Securities Act 1978 in respect of offers of certain participatory securities**—(1) Subject to subclause (2) of this clause, the company, and every person acting on its behalf, is exempted from compliance with the provisions of sections 37 (2) and 37A (1) (e) of the Act in respect of any offer of specified participatory securities that are subscribed for within 12 months after the date on which the first prospectus containing the offer is delivered in registrable form to the Registrar for registration under section 42 of the Act.

(2) The exemption granted by subclause (1) of this clause is subject to the following conditions:

- (a) That all subscriptions for specified participatory securities are paid without deduction directly to the statutory supervisor for the scheme and are held by the statutory supervisor on trust for subscribers until the statutory supervisor is satisfied that sufficient funds are available to the company to enable the construction of the mausoleum to be completed; and
- (b) That, if sufficient subscriptions to enable the construction of the mausoleum to be completed are not received within that period of 12 months, all subscriptions are returned by the statutory supervisor to subscribers without deduction; and
- (c) That every registered prospectus containing an offer of specified participatory securities contains an explanation of the method of calculation of the date of allotments and a statement giving the latest date on which allotments may be made; and
- (d) That every registered prospectus containing an offer of specified participatory securities contains, in a prominent place, a statement that subscribers will not receive interest on subscriptions held on trust by the statutory supervisor for the scheme and that the company is entitled to apply any interest earned on those subscriptions for its own benefit.

Dated at Wellington this 25th day of November 1991.

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

[L.S.]

P. D. MCKENZIE,  
Chairman.

---

EXPLANATORY NOTE

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

This notice exempts Mausoleum Marketing Limited, subject to conditions, from the requirements of sections 37 (2) and 37A (1) (e) of the Securities Act 1978 in the case of offers of certain participatory securities.

---

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

Date of notification in *Gazette*: 28 November 1991.

This notice is administered in the Securities Commission.