



SECURITIES ACT (RELIGIOUS ORGANISATIONS) EXEMPTION NOTICE 1997

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

NOTICE

1. Title, commencement, and expiry—(1) This notice may be cited as the Securities Act (Religious Organisations) Exemption Notice 1997.

(2) This notice comes into force on 1 October 1997.

(3) This notice expires on the close of 30 September 2002.

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

“Act” means the Securities Act 1978:

“Regulations” means the Securities Regulations 1983:

“Religious organisation” means a body corporate or unincorporate which exists for religious purposes whether or not it also exists for other purposes:

“Specified debt security” means a debt security issued exclusively for religious purposes.

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

3. Exemption—Every religious organisation, and every person acting on its behalf, are exempted from sections 33 (2), 37, and 37A of the Act and regulation 17 of the Regulations in respect of any specified debt securities of which that religious organisation is the issuer.

4. Information to be provided before subscription—The exemption granted by clause 3 is subject to the condition that every subscriber for a specified debt security receives, before subscribing for the security, a document relating to the security containing the following information:

(a) A statement in the following form (to be set out at the front of the document):

“NOTICE Prospective investors are advised that [*name of religious organisation*], in making this offer, relies on an exemption granted by the Securities Commission from the obligation to disclose under the Securities Act 1978 and the Securities Regulations

1983 information that is material to the making of an informed investment decision. This document may therefore not contain all the information normally required to be disclosed by the Securities Act 1978 and the Securities Regulations 1983 in an investment statement or registered prospectus. Accordingly the risks associated with this investment may not be as fully disclosed as if there were an investment statement and registered prospectus. Prospective investors should consider seeking professional advice.”:

- (b) The information required by clauses 2, 9, 10, 11, and 12 of Schedule 3D of the Regulations:
- (c) A description of the religious purpose for which the money paid by subscribers will be used:
- (d) The terms and conditions of the offer of the security:
- (e) Any other information that is material to the offer of the security.

5. Financial statements to be sent upon request—The exemption granted by clause 3 is subject to the further condition that it is a term of each offer of a specified debt security that, upon the request of the offeree, the religious organisation will send, or cause to be sent, without fee and within 5 working days of receiving the request, to that offeree a copy of the most recent audited financial statements of the religious organisation.

Dated at Wellington this 29th day of September 1997.

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

[L.S.]

M. R. H. WEBB,
Member.

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 1 October 1997 and expires on 30 September 2002, replaces the Securities Act (Religious Organisations) Exemption Notice 1989. The notice is required as a result of the coming into force, on 1 October 1997, of new disclosure and other requirements under the Securities Act 1978.

This notice exempts, subject to conditions, religious organisations from the trust deed, prospectus, and investment statement requirements of the Securities Act 1978 and from the advertisement certificate requirements of the Securities Regulations 1983 in the case of offers of debt securities which are issued exclusively for religious purposes.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 30 September 1997.
This notice is administered in the Securities Commission.