



## SECURITIES (FEES) REGULATIONS 1997

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MICHAEL HARDIE BOYS, Governor-General

### ORDER IN COUNCIL

At Wellington this 10th day of February 1997

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 70A of the Securities Act 1978, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Securities (Fees) Regulations 1997.

(2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

(3) Regulations 3 and 4 of these regulations expire on the close of 30 June 1998.

**2. Fees and amounts payable for certain matters**—The fees and amounts set out below are payable in respect of the following matters:

- (a) For registration of a prospectus under section 42 of the Securities Act 1978, \$320:
- (b) For inspection under section 52 (1) of the Securities Act 1978 by any person (not being the holder of a security entered in the register), of a register of securities kept under section 51 of the Act, a fee of 20 cents or such lesser amount as the issuer may prescribe:
- (c) For a copy under section 52 (2) of the Securities Act 1978 of a register kept under section 51 of the Act, or any part of the register, a fee

of 20 cents per page or such lesser amount as the issuer may prescribe:

- (d) For a copy of a trust deed or a deed of participation under section 52 (3) of the Securities Act 1978, a fee of 20 cents per page or such lesser amount as the issuer may prescribe.

**3. Fees payable to Commission**—The fees set out below are, if required by the Commission, payable to the Commission in respect of the following matters:

- (a) For an application for an exemption under section 5 (5) of the Securities Act 1978, a fee of \$1,125:
- (b) For an application for a declaration that a life insurance company is an authorised life insurance company under section 7A (2) of the Securities Act 1978, a fee of \$1,125:
- (c) For an application for approval to act as a trustee or statutory supervisor under section 48 (3) of the Securities Act 1978, a fee of \$1,125:
- (d) For an application for a declaration that a body corporate is an authorised futures exchange under section 37 (8) of the Securities Amendment Act 1988, a fee of \$1,125:
- (e) For an application for an authorisation to carry on the business of dealing in futures contracts under section 38 (1) of the Securities Amendment Act 1988, a fee of \$1,125.

**4. Costs payable to Commission**—The Commission is authorised to require payment to it of the costs incurred by the Commission in—

- (a) The printing and publication in the Statutory Regulations series of an exemption notice under section 5 (5) of the Securities Act 1978:
- (b) The publication in the *Gazette* of a notice under the Acts and Regulations Publication Act 1989 of an exemption notice under section 5 (5) of the Securities Act 1978:
- (c) The publication in the *Gazette* of a notice declaring a life insurance company to be an authorised life insurance company under section 7A (2) of the Securities Act 1978:
- (d) The publication in the *Gazette* of a notice approving a person to act as a trustee or statutory supervisor under section 48 (3) of the Securities Act 1978:
- (e) The publication in the *Gazette* of a notice declaring a body corporate to be an authorised futures exchange under section 37 (8) of the Securities Amendment Act 1988:
- (f) The publication in the *Gazette* of a notice authorising a person or a class of persons to carry on the business of dealing in futures contracts under section 38 (1) of the Securities Amendment Act 1988.

**5. Amount of goods and services tax included**—The fees and amounts prescribed in regulations 2 and 3 of these regulations are inclusive of goods and services tax.

**6. Revocation**—The Securities (Fees) Regulations 1996\* are consequentially revoked.

MARIE SHROFF,  
Clerk of the Executive Council.

\*S.R. 1996/37

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EXPLANATORY NOTE

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

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, replace the Securities (Fees) Regulations 1996.

*Regulation 2* prescribes the fees and amounts payable for the registration of a prospectus under section 42 of the Securities Act 1978, for the inspection of a securities register under section 52 (1) of the Act, for copies of a securities register under section 52 (2) of the Act, and for copies of a trust deed or deed of participation under section 52 (3) of the Act. These fees and amounts are the same as the fees and amounts prescribed under the Securities (Fees) Regulations 1996.

*Regulation 3* is new and prescribes a number of new fees payable to the Securities Commission in the case of applications made to the Commission. Fees are prescribed for applications for—

- (a) Exemptions under section 5 (5) of the Securities Act 1978:
- (b) Authorisations of life insurance companies under section 7A (2) of the Securities Act 1978:
- (c) Approvals to act as trustee and statutory supervisor under section 48 (3) of the Securities Act 1978:
- (d) Authorisations of futures exchanges under section 37 (8) of the Securities Amendment Act 1988:
- (e) Authorisations to carry on the business of dealing in futures contracts under section 38 (1) of the Securities Amendment Act 1988.

In each case the fee prescribed is \$1,125 and is inclusive of goods and services tax.

*Regulation 4* is new and authorises the Commission to require payment of the costs incurred by the Commission in printing and publishing notices under the Securities Act 1978.

The regulation will allow the Commission to recover the costs of—

- (a) Printing and publication in the Statutory Regulations series of exemption notices under section 5 (5) of the Securities Act 1978:
- (b) Publication in the *Gazette* of notices under the Acts and Regulations Publication Act 1989 of exemption notices under section 5 (5) of the Securities Act 1978:
- (c) Publication in the *Gazette* of notices of authorisation of life insurance companies under section 7A (2) of the Securities Act 1978:
- (d) Publication in the *Gazette* of notices of approval of trustees and statutory supervisors under section 48 (3) of the Securities Act 1978:
- (e) Publication in the *Gazette* of notices declaring bodies corporate to be authorised futures exchanges under section 37 (8) of the Securities Amendment Act 1988:
- (f) Publication in the *Gazette* of notices authorising the carrying on of the business of dealing in futures contracts under section 38 (1) of the Securities Amendment Act 1988.

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

Date of notification in *Gazette*: 13 February 1997.

These regulations are administered in the Ministry of Commerce.