

Reprint  
as at 3 June 2016



# Financial Markets Conduct (Restricted Schemes) Order 2015

(LI 2015/282)

Financial Markets Conduct (Restricted Schemes) Order 2015: revoked, on 3 June 2016, by clause 5 of the Financial Markets Conduct (Restricted Schemes) Order 2016 (LI 2016/119).

Jerry Mateparae, Governor-General

## Order in Council

At Wellington this 16th day of November 2015

Present:

His Excellency the Governor-General in Council

Pursuant to clause 23(2) of Schedule 4 of the Financial Markets Conduct Act 2013, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the advice of the Minister of Commerce and Consumer Affairs given in accordance with a recommendation of the Financial Markets Authority, makes the following order.

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint. Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This order is administered by the Ministry of Business, Innovation, and Employment.**

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## **Order**

### **1 Title**

This order is the Financial Markets Conduct (Restricted Schemes) Order 2015.

### **2 Commencement**

This order comes into force on 17 December 2015.

### **3 Application**

This order applies to a managed investment scheme on and from the date on which it is treated as being registered under clause 22 of Schedule 4 of the Financial Markets Conduct Act 2013 (the **Act**).

### **4 Designation of managed investment schemes as certain types of scheme**

The managed investment schemes listed in the Schedule are designated as the type or types of scheme shown in the Schedule.

**Schedule**  
**Designation of schemes as certain types of scheme**

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Note: A tick alongside the name of a scheme means that the scheme is designated as a type of scheme that appears above the tick.

Name of scheme	Approved scheme number	Legacy scheme designated for purposes of clause 23(1)(e) of Schedule 4 of Act	Restricted legacy scheme designated for purposes of clause 23(1)(d) and (e) of Schedule 4 of Act	Restricted employer-related scheme designated for purposes of section 172 of Act	Restricted workplace savings scheme designated for purposes of clause 23(1)(f) and (g) of Schedule 4 of Act
ANZ National Bank Staff Superannuation Scheme	7727			✓	✓
Automobile Association (Canterbury) Incorporated Staff Superannuation Plan	7143			✓	✓
Bank of New Zealand Officers' Provident Association	3413				✓
BP New Zealand Retirement Plan	3602			✓	✓
Commercial Union General Insurance Staff Pension Scheme	4000			✓	✓
Dairy Industry Superannuation Scheme	4126			✓	✓
Defence Force Superannuation Scheme	1331	✓			
Deloitte Retirement Plan	1181		✓		
Fairfax New Zealand Retirement Fund	351			✓	✓
Fairfax NZ Senior Executive Superannuation Scheme	5777			✓	✓
Fonterra Superannuation Scheme	743			✓	✓
FreedomPlan	1098	✓			
FuturePlan	410	✓			
Guardian Assurance Superannuation Plan	5431			✓	✓
Heinz-Wattie Pension Plan	991			✓	✓
Holcim (New Zealand) Limited Superannuation Fund	2234			✓	✓

Name of scheme	Approved scheme number	Legacy scheme designated for purposes of clause 23(1)(e) of Schedule 4 of Act	Restricted legacy scheme designated for purposes of clause 23(1)(d) and (e) of Schedule 4 of Act	Restricted employer-related scheme designated for purposes of section 172 of Act	Restricted workplace savings scheme designated for purposes of clause 23(1)(f) and (g) of Schedule 4 of Act
Imperial New Zealand Superannuation Fund	4889			✓	✓
Inland Revenue Department Superannuation Scheme	1027			✓	✓
Local Government Superannuation Scheme	1527			✓	✓
Meat Industry Superannuation Scheme	823			✓	✓
National Bank Staff Superannuation Fund	2294			✓	✓
New Zealand Anglican Church Pension Fund	2022			✓	✓
New Zealand Automobile Association Incorporated Superannuation Scheme	923			✓	✓
New Zealand Fire Service Superannuation Scheme	6231			✓	✓
New Zealand Post Superannuation Scheme	6206			✓	✓
New Zealand Refining Company Pension Fund	2301			✓	✓
New Zealand Steel Pension Fund	2310			✓	✓
Orica New Zealand Limited Retirement Plan	5775			✓	✓
Police Superannuation Scheme	987			✓	✓
Presbyterian Church of Aotearoa New Zealand Beneficiary Fund	2675		✓		✓
Renold New Zealand Limited Superannuation Plan	7745			✓	✓
RIG Superannuation Fund	2917			✓	✓
Rio Tinto New Zealand Retirement Fund	1192			✓	✓
Shell New Zealand Pension Plan	3037			✓	✓
SIFCO Distributors Limited Superannuation Trust Fund	4398			✓	✓
Suncorp New Zealand Superannuation Scheme	1363			✓	✓
Superbond 2000 Retirement Plan	433		✓		

Name of scheme	Approved scheme number	Legacy scheme designated for purposes of clause 23(1)(e) of Schedule 4 of Act	Restricted legacy scheme designated for purposes of clause 23(1)(d) and (e) of Schedule 4 of Act	Restricted employer-related scheme designated for purposes of section 172 of Act	Restricted workplace savings scheme designated for purposes of clause 23(1)(f) and (g) of Schedule 4 of Act
The Church of Jesus Christ of Latter-Day Saints Deseret Benefit Plan of New Zealand	9576				✓
The Retire Fund	791		✓		✓
The Tasman-Kaingaroa Employees Retirement Scheme	6681			✓	✓
UNISAVER New Zealand	981			✓	✓
Vero and Asteron New Zealand Staff Pension Scheme	3356			✓	✓
Waterfront Industry Superannuation Fund	3390				✓
Westpac Retirement Plan	9390	✓			
Winstone Pulp International Superannuation Plan	461		✓		
Works Superannuation Scheme	486			✓	✓

Michael Webster,  
Clerk of the Executive Council.

### **Explanatory note**

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

This order comes into force on 17 December 2015. The order designates a number of managed investment schemes to each be of a particular type or types of scheme.

The designations are made on the basis that the provider of each scheme has requested that it be so designated, and on the basis that each scheme meets the requirements of section 129 or 131 of the Financial Markets Conduct Act 2013.

This order designates a number of managed investment schemes to be more than 1 type of scheme. The Financial Markets Authority is satisfied that these managed investment schemes meet all of the criteria relevant to each designation.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 19 November 2015.

## **Reprints notes**

### **1    *General***

This is a reprint of the Financial Markets Conduct (Restricted Schemes) Order 2015 that incorporates all the amendments to that order as at the date of the last amendment to it.

### **2    *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3    *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4    *Amendments incorporated in this reprint***

Financial Markets Conduct (Restricted Schemes) Order 2016 (LI 2016/119): clause 5