

Reprint  
as at 1 December 2016



**Securities Act (Estates and Interests in Australian Land)  
Exemption Notice 2002**  
(SR 2002/290)

Securities Act (Estates and Interests in Australian Land) Exemption Notice 2002: revoked, on 1 December 2016, pursuant to Schedule 1 clause 26 of the Financial Markets Conduct Regulations 2014 (LI 2014/326).

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

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**Notice**

**1 Title**

This notice is the Securities Act (Estates and Interests in Australian Land) Exemption Notice 2002.

**2 Commencement**

This notice comes into force on 1 October 2002.

**3 Expiry**

This notice expires on the close of 30 September 2017.

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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 notice is administered by the Financial Markets Authority.**

Clause 3: amended, on 28 September 2012, by clause 4 of the Securities Act (Estates and Interests in Australian Land) Exemption Amendment Notice 2012 (SR 2012/293).

#### 4 Interpretation

- (1) In this notice, unless the context otherwise requires,—

**Act** means the Securities Act 1978

**Regulations** means the Securities Regulations 2009.

- (2) In this notice, **estate or interest in land in Australia** means a freehold or leasehold estate or interest in that land for which the holder is, or following completion of allotment procedures will be, immediately entitled to a separate certificate of title or other instrument of title, in each case, issued or registered under the law of a State or Territory of the Commonwealth of Australia, other than an estate or interest that—
- (a) is a time-sharing scheme as defined in section 9 of the Australian Corporations Act 2001; or
- (b) is an investment contract as defined in section 9 of the Australian Corporations Act 2001 and does not entitle the holder to a right in respect of a specified part of the land for which a separate certificate of title or other instrument of title can be so issued or registered.
- (3) Any term or expression that is defined in the Act or the Regulations and used, but not defined, in this notice has the same meaning as in the Act or the Regulations.

Clause 4(1) **Regulations**: amended, on 28 September 2012, by clause 5 of the Securities Act (Estates and Interests in Australian Land) Exemption Amendment Notice 2012 (SR 2012/293).

#### 5 Exemption

Every person is exempted from Part 2 of the Act and the Regulations in respect of any offer of an estate or interest in land in Australia.

Clause 5: amended, on 28 September 2012, by clause 6 of the Securities Act (Estates and Interests in Australian Land) Exemption Amendment Notice 2012 (SR 2012/293).

Dated at Wellington this 17th day of September 2002.

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

[Seal]

J Diplock,  
Chairperson.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 19 September 2002.

## Reprints notes

### **1** *General*

This is a reprint of the Securities Act (Estates and Interests in Australian Land) Exemption Notice 2002 that incorporates all the amendments to that notice 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 Regulations 2014 (LI 2014/326): Schedule 1 clause 26

Securities Act (Estates and Interests in Australian Land) Exemption Amendment Notice 2012 (SR 2012/293)