

Reprint
as at 1 October 2012

Securities Act (Amalgamations)
Exemption Amendment Notice
2004

(SR 2004/49)

Securities Act (Amalgamations) Exemption Amendment Notice 2004: expired,
on 1 October 2012, pursuant to clause 3 of the Securities Act (Amalgamations)
Exemption Notice 2002 (SR 2002/328).

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

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1 Title

- (1) This notice is the Securities Act (Amalgamations) Exemption
Amendment Notice 2004.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989
have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together
with other explanatory material about this eprint.

This notice is administered by the Financial Markets Authority.

- (2) In this notice, the Securities Act (Amalgamations) Exemption Notice 2002¹ is called “the principal notice”.

2 Commencement

This notice comes into force on its notification in the *Gazette*.

3 Interpretation

Clause 4(1) of the principal notice is amended by inserting, after the definition of designated date, the following definition:

“FRS–29 means the financial reporting standard known as Financial Reporting Standard No 29, approved under the Financial Reporting Act 1993”.

4 New clause 11 substituted

The principal notice is amended by revoking clause 11, and substituting the following clause:

“11 Further condition relating to prospective financial statements

The exemptions in clauses 5 and 7 are subject to the further condition that the registered prospectus for the offer of the specified equity securities or the specified debt securities (as the case may be) contains, or is accompanied by, a copy of—

“(a) a prospective consolidated statement of financial position for the amalgamated company as at the date on which the amalgamation is proposed to take effect, that complies with FRS–29; and

“(b) prospective consolidated statements of financial position, financial performance, and cash flows for 1 or more future accounting periods of the amalgamated company that in each case—

“(i) are prepared as if the amalgamation had already been effected; and

“(ii) comply with FRS–29.”

Dated at Wellington this 12th day of March 2004.

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

¹ SR 2002/328

J Diplock,
Chairperson.
[LS]

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 its notification in the *Gazette*, amends the Securities Act (Amalgamations) Exemption Notice 2002. The amendment replaces a condition that relates to forecast financial statements with a condition that relates to prospective financial statements. The amended condition now requires prospective financial statements of the amalgamated company to comply with Financial Reporting Standard No 29 (which relates to prospective financial information).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 16 March 2004.

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Notes**1 General**

This is an eprint of the Securities Act (Amalgamations) Exemption Amendment Notice 2004. The eprint incorporates all the amendments to the notice as at 1 October 2012. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

**3 List of amendments incorporated in this eprint
(most recent first)**

Securities Act (Amalgamations) Exemption Notice 2002 (SR 2002/328):
clause 3
