

Reprint

as at 1 March 2008

Securities Act (Macquarie Investment Services Limited) Exemption Notice 2003

(SR 2003/4)

Securities Act (Macquarie Investment Services Limited) Exemption Notice
2003: expired, on 1 March 2008, by clause 3.

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

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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 in the Securities Commission.

1 Title

This notice is the Securities Act (Macquarie Investment Services Limited) Exemption Notice 2003

2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

3 Expiry

This notice expires on the close of 29 February 2008.

4 Interpretation

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

Act means the Securities Act 1978

Macquarie means Macquarie Investment Services Limited

participation deed means the deed of participation to be entered into between Macquarie and the statutory supervisor of the scheme and includes every amendment to that document

Regulations means the Securities Regulations 1983

scheme means the Macquarie Highpoint Trust

specified participatory securities means participatory securities issued under the scheme.

(2) 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.

5 Exemption from section 51 of Act

Macquarie and every person acting on its behalf are exempted from section 51 of the Act in respect of any specified participatory securities.

6 Conditions of exemption

(1) In this clause, register means a register of holders of all specified participatory securities containing the information that would otherwise be required by section 51(2) of the Act.

(2) The exemption in clause 5 is subject to the conditions that—

- (a) Macquarie keeps, or causes to be kept, a register at its registered office in Australia; and
- (b) Macquarie keeps, or causes to be kept, a copy of the register at its New Zealand office; and
- (c) every holder of a specified participatory security is entitled to inspect and take copies of the register at Macquarie's New Zealand office during normal office hours without payment of any fee; and
- (d) every registered prospectus relating to the specified participatory securities specifies Macquarie's New Zealand office as the place where a copy of the register may be inspected; and
- (e) the participation deed contains a covenant by Macquarie to provide the statutory supervisor with a copy of the register.

Dated at Wellington this 22nd day of January 2003.

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

FRS Clouston,

[LS]

Member.

Explanatory note

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

This notice comes into force on the day after the date of its notification in the *Gazette* and expires on 31 December 2007. It exempts Macquarie Investment Services Limited, subject to conditions, from compliance with section 51 of the Securities Act 1978 in respect of participatory securities issued under the Macquarie Highpoint Trust.

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Notes**1 *General***

This is an eprint of the Securities Act (Macquarie Investment Services Limited) Exemption Notice 2003. It incorporates all the amendments to the Securities Act (Macquarie Investment Services Limited) Exemption Notice 2003 as at 1 March 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 4 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about officialisation, please see "Making online legislation official" under "Status of legislation on this site" in the About section of this website.

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