

Reprint
as at 1 July 2009

**Securities Act (Macquarie
Investment Services Limited Gilt
Edge Access Account) Exemption
Notice 1999**

(SR 1999/387)

Securities Act (Macquarie Investment Services Limited Gilt Edge Access Account) Exemption Notice 1999: expired, on 1 July 2009, by clause 1(3).

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

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Notice

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, commencement, and expiry

- (1) This notice may be cited as the Securities Act (Macquarie Investment Services Limited Gilt Edge Access Account) Exemption Notice 1999.
- (2) This notice comes into force on the effective date.
- (3) This notice expires on the close of 30 June 2009.

Subclause (3) was amended, as from 30 June 2004, by clause 3 Securities Act (Macquarie Investment Services Limited Gilt Edge Access Account) Exemption Amendment Notice 2004 (SR 2004/193) by substituting the expression “30 June 2009” for the expression “30 June 2004”.

2 Interpretation

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

Act means the Securities Act 1978

constitution—

- (a) means the deed called the Trust Deed and Deed of Participation for Macquarie’s Australasian Trusts dated 17 May 1996; and
- (b) includes every amendment to that document

Corporations Law means the Corporations Law of New South Wales, Australia

effective date means the earlier of—

- (a) the date on which the Macquarie Gilt Edge Access Account is registered with the Australian Securities and Investments Commission as a managed investment scheme under the Corporations Law; or
- (b) 30 June 2000

Regulations means the Securities Regulations 1983

Responsible entity means Macquarie Investment Services Limited

Scheme means the Macquarie Gilt Edge Access Account to which the constitution applies

specified participatory securities means participatory securities in respect of the scheme.

- (2) Any term or expression that is not defined in this notice, but that is defined in the Act or the Regulations, has the meaning given to it by the Act or the Regulations.

3 Exemption from section 51

- (1) The responsible entity and every person acting on its behalf are exempted from section 51 of the Act in respect of any specified participatory securities.
- (2) The exemption granted by subclause (1) is subject to the condition that—
 - (a) the responsible entity keeps, or causes to be kept, a register of holders of all specified participatory securities at its registered office in Australia containing the information that would otherwise be required by section 51(2) of the Act and keeps or causes a copy of that register to be kept at its office in New Zealand; and
 - (b) every holder of a specified participatory security is entitled to inspect and take copies of the register at the office of the responsible entity in New Zealand during normal office hours without payment of any fee; and
 - (c) every registered prospectus relating to the specified participatory securities specifies the office of the responsible entity in New Zealand at which a copy of the register may be inspected; and
 - (d) the constitution contains a covenant to the effect that the responsible entity must provide the statutory supervisor with a copy of the register maintained under paragraph (a).

4 Exemption from section 54

- (1) The responsible entity and every person acting on its behalf are exempted from section 54 of the Act in respect of any specified participatory securities.
- (2) The exemption granted by subclause (1) is subject to the condition that the responsible entity sends, or causes to be sent, to every holder of a specified participatory security on request and at least once every 6 months, a written statement that properly evidences the nature and ownership of the specified participatory security.

Under that Act, the roles of manager and trustee in respect of managed investment schemes are merged, and are performed by a single entity known as the responsible entity.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 4 November 1999.

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Notes

1 *General*

This is an eprint of the Securities Act (Macquarie Investment Services Limited Gilt Edge Access Account) Exemption Notice 1999. It incorporates all the amendments to the notice as at 1 July 2009. 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 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)*

Securities Act (Macquarie Investment Services Limited Gilt Edge Access Account) Exemption Notice 1999 (SR 1999/387): clause 1(3)
