

**Reprint  
as at 1 July 2013**



**Securities Act (Contributory  
Mortgage) Regulations (Solicitors)  
Exemption Notice 1996**

(SR 1996/13)

Securities Act (Contributory Mortgage) Regulations (Solicitors) Exemption Notice 1996: revoked, on 1 July 2013, by clause 7 of the Securities Act (Contributory Mortgage—Solicitors and Incorporated Law Firms) Exemption Notice 2013 (SR 2013/286).

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

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**Notice**

**1 Title and commencement**

- (1) This notice may be cited as the Securities Act (Contributory Mortgage) Regulations (Solicitors) Exemption Notice 1996.

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**Note**

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

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

**This notice is administered by the Financial Markets Authority.**

- (2) This notice shall come into force on the day after the date of its notification in the *Gazette*.

### **1A Expiry**

This notice expires on the close of 30 June 2013.

Clause 1A: inserted, on 21 September 2007, by clause 3 of the Securities Act (Extension of Term, Amendment, and Revocation of Certain Exemptions) Exemption Notice 2007 (SR 2007/277).

Clause 1A: amended, on 28 September 2012, by clause 3 of the Securities Act (Extension of Term, Amendment, and Transitional Provision) Exemption Notice 2012 (SR 2012/294).

### **2 Interpretation**

- (1) In this notice, unless the context otherwise requires,—  
**the Act** means the Securities Act 1978  
**the Regulations** means the Securities Act (Contributory Mortgage) Regulations 1988  
**solicitor** means a person enrolled as a barrister and solicitor of the High Court under or by virtue of the Lawyers and Conveyancers Act 2006 and practising as a solicitor, whether or not that person also practises as a barrister.
- (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.

Clause 2(1) **solicitor**: amended, on 28 September 2012, by clause 3 of the Securities Act (Extension of Term, Amendment, and Transitional Provision) Exemption Notice 2012 (SR 2012/294).

### **3 Solicitors exempted from compliance with provisions of Regulations**

- (1) Subject to subclause (2), every solicitor is exempted from compliance with the provisions of the Regulations in respect of any thing done or omitted to be done in his or her capacity as a solicitor.
- (2) The exemption is subject to the condition that there are in force—
- (a) regulations made under section 115 of the Lawyers and Conveyancers Act 2006 (relating to trust accounts); and
  - (b) rules made under section 96 of that Act (practice rules in relation to nominee companies).

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Clause 3(2): replaced, on 28 September 2012, by clause 3 of the Securities Act (Extension of Term, Amendment, and Transitional Provision) Exemption Notice 2012 (SR 2012/294).

**4 Revocation**

The Securities Act (Contributory Mortgage) Regulations (Solicitors) Exemption Notice 1988 (SR 1988/336) is hereby revoked.

Dated at Wellington this 9th day of February 1996.

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

[Seal]

E H Abernethy,  
Chairman.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 15 February 1996.

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## Notes

### **1** *General*

This is a reprint of the Securities Act (Contributory Mortgage) Regulations (Solicitors) Exemption Notice 1996. It incorporates all the amendments to the notice as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

### **2** *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3** *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

## **5 *List of amendments incorporated in this reprint (most recent first)***

Securities Act (Contributory Mortgage—Solicitors and Incorporated Law Firms) Exemption Notice 2013 (SR 2013/286): clause 7

Securities Act (Extension of Term, Amendment, and Transitional Provision) Exemption Notice 2012 (SR 2012/294): clause 3

Securities Act (Extension of Term, Amendment, and Revocation of Certain Exemptions) Exemption Notice 2007 (SR 2007/277): clause 3

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