

**Reprint  
as at 1 October 2012**



**Securities Act (Assure New Zealand  
Limited) Exemption Notice 2002**

(SR 2002/346)

Securities Act (Assure New Zealand Limited) Exemption Notice 2002: expired,  
on 1 October 2012, by clause 3.

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

**Contents**

	Page
1 Title	1
2 Commencement	2
3 Expiry	2
4 Interpretation	2
5 Exemption from section 37(3) of Act	2
6 Conditions of exemption in clause 5	2
7 Exemption from section 54 of Act	3
8 Condition of exemption in clause 7	3

---

**Notice**

**1 Title**

This notice is the Securities Act (Assure New Zealand Limited) Exemption Notice 2002.

---

**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 Securities Commission.**

## 2 Commencement

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

## 3 Expiry

This notice expires on the close of 30 September 2012.

Clause 3: amended, on 28 September 2007, by clause 4 of the Securities Act (Assure New Zealand Limited) Exemption Amendment Notice 2007 (SR 2007/287).

## 4 Interpretation

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

**Act** means the Securities Act 1978

**Assure** means Assure New Zealand Limited

**Regulations** means the Securities Regulations 1983

**specified participatory securities** means units in an investment partnership constituted under a deed of participation dated 21 October 2002 between Assure and The New Zealand Guardian Trust Company Limited

**unit holder** means a holder of the specified participatory securities.

(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 37(3) of Act

Assure and every person acting on its behalf are exempted from section 37(3) of the Act in respect of the specified participatory securities.

## 6 Conditions of exemption in clause 5

- (1) The exemption in clause 5 is subject to the conditions that—
- (a) Assure must not allot the specified participatory securities unless the allottee has, before the allotment, authorised the allotment in writing; and
  - (b) the investment statement for the specified participatory securities must contain a clear statement explaining how a unit holder can vary or alter any ongoing subscriptions for the securities.

- (2) An allotment is authorised by an allottee if—
- (a) the allottee—
    - (i) authorises the particular allotment; or
    - (ii) authorises an allotment to be made from time to time and the particular allotment is made under that authority; and
  - (b) the registered prospectus, and the investment statement provided to the allottee, have not, before the allotment, become false or misleading in a material particular by reason of failing to refer, or give proper emphasis to, adverse circumstances.

Clause 6(2): substituted, on 28 September 2007, by clause 5 of the Securities Act (Assure New Zealand Limited) Exemption Amendment Notice 2007 (SR 2007/287).

**7 Exemption from section 54 of Act**

Assure and every person acting on its behalf are exempted from section 54 of the Act in respect of the specified participatory securities.

**8 Condition of exemption in clause 7**

The exemption in clause 7 is subject to the condition that Assure sends, or causes to be sent, to a unit holder at any time on request, and to each unit holder at least once every 6 months, a written statement that properly evidences the nature and ownership of the specified participatory securities issued by Assure to the unit holder.

Dated at Wellington this 18th day of October 2002.

[Seal]

C A N Beyer,  
Member.

**Securities Act (Assure New Zealand  
Limited) Exemption Notice 2002**

---

Reprinted as at  
1 October 2012

---

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 21 October 2002.

---

## Contents

- 1 General
  - 2 Status of reprints
  - 3 How reprints are prepared
  - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
  - 5 List of amendments incorporated in this reprint (most recent first)
- 

## Notes

### **1** *General*

This is a reprint of the Securities Act (Assure New Zealand Limited) Exemption Notice 2002. The reprint incorporates all the amendments to the notice as at 1 October 2012, 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 (Assure New Zealand Limited) Exemption Amendment Notice 2007 (SR 2007/287)

Securities Act (Assure New Zealand Limited) Exemption Notice 2002 (SR 2002/346): clause 3

---