



**THE SECURITIES ACT (ANZ BANKING GROUP (NEW ZEALAND)
LIMITED) EXEMPTION NOTICE (NO. 5) 1990, AMENDMENT
NO. 1**

—

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 (ANZ Banking Group (New Zealand) Limited) Exemption Notice (No. 5) 1990, Amendment No. 1, and shall be read together with and deemed part of the Securities Act (ANZ Banking Group (New Zealand) Limited) Exemption Notice (No. 5) 1990* (hereinafter referred to as the principal notice).

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

2. ANZ Banking Group (New Zealand) Limited temporarily exempted from section 37A (1) (e) of the Securities Act 1978 and clause 24 of the Second Schedule to the Securities Regulations 1983—The principal notice is hereby amended by revoking clause 3, and substituting the following clause:

“3. (1) Subject to subclause (2) of this clause, the Company, and every person acting on its behalf, is exempted from compliance with the provisions of section 37A (1) (e) of the Act in respect of any offer of debt securities made by the Company before the close of the 31st day of January 1991.

“(2) The exemption granted by subclause (1) of this clause is subject to the condition that no allotment of any security to which that subclause applies shall be made if the date of allotment would be more than 10 months after the date of the most recent balance sheet set out, or attached to, or referred to, in accordance with regulations made under the Act, in the registered prospectus relating to the security.

“(3) Subject to subclause (4) of this clause, the Company, and every person acting on its behalf, is exempted from compliance with the provisions of clause 24 of the Second Schedule to the Regulations in respect of any offer of debt securities made by the Company before the close of the 31st day of January 1991.

“(4) The exemption granted by subclause (3) of this clause is subject to the condition that any registered prospectus relating to any offer of debt securities to which the exemption applies—

“(a) Shall state in the balance sheet required by clause 16 of the Second Schedule to the Regulations, or in the notes to that balance sheet,—

“(i) The aggregate amount of investments; and

“(ii) In addition (as separate items), the amounts which the Company has included within that aggregate amount and the manner in which each of those amounts has been calculated; and

“(b) Shall contain a statement explaining the effect of the exemption in relation to any statements in the balance sheet, or in the notes to the balance sheet, of the aggregate amount of investments and of the amounts included within that aggregate amount.”

Dated at Wellington this 18th day of December 1990.

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

[L.S.]

P. D. MCKENZIE,
Chairman.

EXPLANATORY NOTE

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

This notice extends the exemption from clause 24 of the Second Schedule to the Securities Regulations 1983 conferred on ANZ Banking Group (New Zealand) Limited by the Securities Act (ANZ Banking Group (New Zealand) Limited) Exemption Notice (No. 5) 1990 to offers of debt securities made before the close of 31 January 1991 but alters the conditions to which that exemption is subject.

The notice also exempts the bank, subject to conditions, from compliance with section 37A (1) (e) of the Securities Act 1978 in the case of offers of debt securities made before the close of 31 January 1991. The effect of this exemption is to extend the time during which such debt securities may be allotted from not more than 9 months to not more than 10 months after the date of the most recent balance sheet contained in the registered prospectus relating to those securities.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 20 December 1990.

This notice is administered in the Securities Commission.