

Reprint
as at 1 April 2015



**Deposit Takers (Funding Conduits) Exemption
Amendment Notice (No 2) 2010**
(SR 2010/313)

Deposit Takers (Funding Conduits) Exemption Amendment Notice (No 2) 2010: expired, on 1 April 2015, pursuant to clause 3 of the Deposit Takers (Funding Conduits) Exemption Notice 2010 (SR 2010/53).

Pursuant to section 157G of the Reserve Bank of New Zealand Act 1989, the Reserve Bank of New Zealand gives the following notice (to which is appended a statement of reasons of the Bank).

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Notice

1 Title

This notice is the Deposit Takers (Funding Conduits) Exemption Amendment Notice (No 2) 2010.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This notice is administered by the Reserve Bank of New Zealand.

2 Commencement

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

3 Principal notice amended

This notice amends the Deposit Takers (Funding Conduits) Exemption Notice 2010.

4 Expiry

Clause 3 is amended by omitting “clause 10(2)” and substituting “clause 10A(2)”.

5 New clause 10A inserted

The following clause is inserted after clause 10:

10A Temporary exemption from requirement to have current credit rating

- (1) Works Finance (NZ) Limited is exempted from section 157I of the Act.
- (2) This clause expires on the close of 31 March 2011.

6 Further temporary exemption from requirement to have current credit rating

Clause 11(2) is amended by omitting “31 December 2010” and substituting “31 March 2011”.

Dated at Wellington this 9th day of September 2010.

Grant Spencer,
Deputy Governor.

Statement of reasons

This notice, which comes into force on the day after the date of its notification in the *Gazette*, amends the Deposit Takers (Funding Conduits) Exemption Notice 2010 (the **principal notice**). The principal notice exempts the deposit takers listed in the Schedule of that notice (**specified funding conduits**) from sections 157I and 157M of the Reserve Bank of New Zealand Act 1989 (the **Act**). The exemptions are subject to conditions (including, in respect of the exemption from section 157I of the Act, the condition that the specified parent named in the Schedule of the principal notice for the specified funding conduit must have a current credit rating by an approved rating agency that complies with requirements prescribed by regulations). However, clause 11 temporarily exempts the specified funding conduit GPG Finance plc from section

157I of the Act unconditionally until 31 December 2010. Clause 10, which granted temporary unconditional exemptions from section 157I to 2 other specified funding conduits, Works Finance (NZ) Limited and Fletcher Building Finance Limited, expired on 1 September 2010.

The amendments—

- extend, until 31 March 2011, the temporary unconditional exemption from section 157I of the Act granted to GPG Finance plc:
- grant, until 31 March 2011, a further temporary unconditional exemption from section 157I of the Act to Works Finance (NZ) Limited.

The Reserve Bank of New Zealand, after taking into account the principles set out in section 157F of the Act and satisfying itself as to the matters set out in section 157G(2), considers it appropriate to extend the exemption granted to GPG Finance plc and to grant a further temporary exemption to Works Finance (NZ) Limited because the specified parent of each is an overseas incorporated entity and, as such, neither entity is able to obtain a local currency (New Zealand dollar), long-term, issuer rating in order to comply with the requirements currently prescribed for credit ratings by the Deposit Takers (Credit Ratings, Capital Ratios, and Related Party Exposures) Regulations 2010. The temporary unconditional exemption from section 157I of the Act is granted to both of these entities until 31 March 2011 to allow time for this issue to be addressed.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 16 September 2010.

Reprints notes**1 *General***

This is a reprint of the Deposit Takers (Funding Conduits) Exemption Amendment Notice (No 2) 2010 that incorporates all the amendments to that notice as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Deposit Takers (Funding Conduits) Exemption Notice 2010 (SR 2010/53): clause 3