

Reprint
as at 1 April 2015



**Deposit Takers (Funding Conduits) Exemption
Amendment Notice (No 3) 2011**
(SR 2011/432)

Deposit Takers (Funding Conduits) Exemption Amendment Notice (No 3) 2011: 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).

Contents

		Page
1	Title	1
2	Commencement	2
3	Principal notice amended	2
4	Expiry	2
5	Further temporary exemption from requirement to have current credit rating	2
6	Revocation of expired clauses	2
7	Revocations taking effect on 31 March 2012	2

Notice

1 Title

This notice is the Deposit Takers (Funding Conduits) Exemption Amendment Notice (No 3) 2011.

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 “Except as provided in clause 10A(2) or clause 11(2), this” and substituting “This”.

5 Further temporary exemption from requirement to have current credit rating

Clause 11(2) is amended by omitting “31 December 2011” and substituting “31 March 2012”.

6 Revocation of expired clauses

Clauses 10 and 10A are revoked.

7 Revocations taking effect on 31 March 2012

- (1) Clause 11 is revoked on the close of 31 March 2012.
- (2) The item in the Schedule relating to GPG Finance plc is revoked on the close of 31 March 2012.

Dated at Wellington this 16th day of December 2011.

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**) by extending a temporary unconditional exemption that currently applies to GPG Finance plc, and then removing GPG Finance plc from the cover of the exemptions altogether.

The principal notice exempts specified funding conduits (including GPG Finance plc) from certain sections of the Reserve Bank of New Zealand Act 1989 (the **Act**). It grants GPG Finance plc a temporary unconditional exemption from section 157I of the Act, which is the provision requiring deposit takers to have a current credit rating,

until 31 December 2011. This amendment notice extends that exemption until 31 March 2012.

However, from that date, both the clause that provides the unconditional exemption and the item in the Schedule of the principal notice that makes GPG Finance plc a specified funding conduit for the purpose of the principal notice are revoked. This means that, on the close of 31 March 2012, GPG Finance plc will lose the benefit of all the exemptions provided by the principal notice.

The notice also consequentially amends the expiry clause, and tidies up the principal notice by revoking 2 expired clauses.

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) of the Act, considers it appropriate to extend the unconditional exemption from section 157I of the Act because GPG Finance plc and its specified parent intend to take such steps as may be necessary to ensure that, before 31 March 2012, GPG Finance plc is no longer a deposit taker within the meaning of the Act. Requiring GPG Finance plc to obtain a credit rating in the period before 31 March 2012 would serve no purpose and would impose unnecessary compliance costs.

These reasons are supplementary to the reasons supporting the original grant of an exemption to funding conduits.

Reprints notes**1 *General***

This is a reprint of the Deposit Takers (Funding Conduits) Exemption Amendment Notice (No 3) 2011 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