

**Reprint
as at 1 December 2016**



**Securities Act (Bloodstock) Exemption Notice 2002
(SR 2002/303)**

Securities Act (Bloodstock) Exemption Notice 2002: revoked, on 1 December 2016, pursuant to Schedule 1 clause 26 of the Financial Markets Conduct Regulations 2014 (LI 2014/326).

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

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Notice

1 Title

This notice is the Securities Act (Bloodstock) Exemption Notice 2002.

2 Commencement

This notice comes into force on 1 October 2002.

3 Expiry

This notice expires on the close of 30 September 2017.

Clause 3: 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).

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 Financial Markets Authority.

4 Interpretation

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

Act means the Securities Act 1978

bloodstock code of practice means a code of practice for the regulation of offers of equity securities or specified participatory securities to the public for subscription that is—

- (a) administered by a designated association; and
- (b) approved for the time being by the FMA

designated association means—

- (a) New Zealand Thoroughbred Racing Incorporated;
- (b) Harness Racing New Zealand Incorporated

registered means—

- (a) registered under—
 - (i) the New Zealand Rules of Racing of New Zealand Thoroughbred Racing Incorporated; or
 - (ii) the New Zealand Rules of Harness Racing of Harness Racing New Zealand Incorporated; or
- (b) recorded on a Foaling Return, Stud Book Certificate, Certificate of Export, or equivalent document and deposited with New Zealand Thoroughbred Racing Incorporated or Harness Racing New Zealand Incorporated

Regulations means the Securities Regulations 2009

specified issuer means,—

- (a) in relation to an offer of equity securities, any company—
 - (i) that is bound by the rules of a designated association to comply with a bloodstock code of practice relating to the making of offers of equity securities to the public for subscription; and
 - (ii) the business of which consists of—
 - (A) the ownership of any registered horse or horses or any interest or interests in a registered horse or horses that is or are used, or intended to be used, for the purpose of breeding or racing; or
 - (B) the ownership of any registered horse or horses or any interest or interests in a registered horse or horses that is or are used, or intended to be used, for the purpose of breeding or racing and any progeny of that horse or horses or any interest or interests in that progeny, being progeny that is eligible to be, but is not, registered:

- (b) in relation to an offer of specified participatory securities, any person who is bound by the rules of a designated association to comply with a bloodstock code of practice relating to the making of offers of specified participatory securities to the public for subscription

specified participatory security means a participatory security relating exclusively to—

- (a) any scheme in respect of the ownership of any registered horse or horses or any interest or interests in a registered horse or horses that is or are used, or intended to be used, for the purpose of breeding or racing; or
 - (b) any scheme in respect of the ownership of any registered horse or horses or any interest or interests in a registered horse or horses that is or are used, or intended to be used, for the purpose of breeding or racing and any progeny of that horse or horses or any interest or interests in that progeny, being progeny that is eligible to be, but is not, registered.
- (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.

Clause 4(1) **approved code of practice**: revoked, on 28 September 2012, by clause 3 of the Securities Act (Extension of Term, Amendment, and Transitional Provision) Exemption Notice 2012 (SR 2012/294).

Clause 4(1) **bloodstock code of practice**: inserted, on 28 September 2012, by clause 3 of the Securities Act (Extension of Term, Amendment, and Transitional Provision) Exemption Notice 2012 (SR 2012/294).

Clause 4(1) **Regulations**: 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).

Clause 4(1) **specified issuer** paragraph (a)(i): 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).

Clause 4(1) **specified issuer** paragraph (b): 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).

5 Exemption relating to equity securities

- (1) Every specified issuer and every person acting on behalf of a specified issuer are exempted from sections 37(1) to (4), 37A, and 54 of the Act in respect of any equity securities of which that specified issuer is the issuer.
- (2) The exemption is subject to the condition that a copy of the audited financial statements of the specified issuer and of the auditor's report is sent to every member or shareholder of the specified issuer within 3 months after the end of each financial year.

6 Exemption relating to specified participatory securities

- (1) Every specified issuer and every person acting on behalf of a specified issuer are exempted from sections 33(3), 37(1) to (4), 37A, and 54 of the Act in re-

spect of any specified participatory securities of which that specified issuer is the issuer.

- (2) The exemption is subject to the condition that the financial statements relating to the scheme to which the specified participatory securities relate are audited at least once a year by a qualified auditor and a copy of those statements and of the auditor's report is sent to every person who is the holder of those securities within 3 months after the end of each financial year of the scheme.

Dated at Wellington this 17th day of September 2002.

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

[Seal]

J Diplock,
Chairperson.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 19 September 2002.

Reprints notes

1 *General*

This is a reprint of the Securities Act (Bloodstock) Exemption Notice 2002 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*

Financial Markets Conduct Regulations 2014 (LI 2014/326): Schedule 1 clause 26

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