

## DISCLOSE REGISTER KEY LEGISLATIVE REFERENCES GUIDE - DERIVATIVES

<sup>1</sup> All references in this table are to the Financial Markets Conduct Regulations 2014 (FMCR) and the Financial Markets Conduct Act 2013 (FMC Act).

Field label	Field help text	Key legislative references <sup>1</sup>
<b>OFFER DETAILS</b>		
<b>Offer description</b>		
Offer name	Enter the name of the offer as stated on the Product Disclosure Statement (PDS).	<a href="#">Cl 3(1)(e) Sch 2 FMC Act</a>
Product description	Enter a brief description of the products offered.	<a href="#">Cl 28(c) Sch 6 FMCR</a>
<b>Offering under exemption</b>		
Schedule 1 exemption	Select 'Yes' if the offer is made in reliance upon an exemption in Schedule 1 of the FMC Act.	<a href="#">Cl 38(2)(b)(i) Sch 8 FMCR</a>
Schedule 1 exemption description	Briefly identify the exemption.	<a href="#">Cl 38(2)(b)(i) Sch 8 FMCR</a>
Financial Markets Authority exemption	Select 'Yes' if registering in reliance on an exemption granted by the Financial Markets Authority (FMA).	<a href="#">Cl 28(g) Sch 6 FMCR</a>
Financial Markets Authority exemption description	Give the name of the exemption.	<a href="#">Cl 28(g) Sch 6 FMCR</a>
<b>Offer details</b>		
Date offer opens	Enter the intended date on which the offer will be open for applications, if applicable.	<a href="#">Cl 28(e) Sch 6 FMCR</a>
Date offer closes	Enter the intended date on which the offer will close for applications, if applicable.	<a href="#">Cl 28(e) Sch 6 FMCR</a>
Continuous issue	Select 'Yes' if the offer is made continuously and has no fixed closing dates.	<a href="#">Cl 28(f) Sch 6 FMCR</a>

Offered for the purposes of a registered scheme	Select 'Yes' if the financial products are offered by or for the purposes of a registered scheme.	<a href="#">CI 28(i) Sch 6 FMCR</a>
Search for the scheme	Enter the name under which the scheme making the offer is registered on the managed investment schemes register. The scheme details will be retrieved automatically.	<a href="#">CI 28(i) Sch 6 FMCR</a>
Product designated/reclassified by Financial Markets Authority	Select 'Yes' if the product offered has been subject to a designation by FMA under subpart 3 of Part 9 of the FMC Act.	<a href="#">CI 28(h) Sch 6 FMCR</a>
Further payments may be required	Select 'Yes' if a holder of the financial products will or may be liable to make further payments in respect of the products, including payment of fees or charges.	<a href="#">CI 28(d) Sch 6 FMCR</a>
<b>Offer classes</b>		
Derivative contract type	Select the contract type offered. If more than one contract type is included in the offer, use the "Add offer class" button to add an additional contract type.	<a href="#">CI 28(c) Sch 6 FMCR</a>
Underlying asset, rate or other variable	Select the underlying asset, rate or variables for the contract type offered. Select as many types as are applicable.	<a href="#">CI 28(c) Sch 6 FMCR</a>
<b>Confirmation date</b>		
Confirmation day	Select the confirmation date (day).	<a href="#">Regulation 52A FMCR</a>
Confirmation month	Select the confirmation date (month).	<a href="#">Regulation 52A FMCR</a>
<b>PARTICIPANTS</b>		
Participant type <ul style="list-style-type: none"> <li>○ Company</li> <li>○ Credit Union, overseas issuer...</li> <li>○ Individual, partnership, other...</li> </ul>	Select "Company" if participant is on the NZ Companies Register. Select "Credit Union, overseas issuer..." if participant is on another register maintained by the Companies Office. Select "Individual, partnership, other..." if participant is on the Other participants directory.	<a href="#">CI 28(a) Sch 6 FMCR</a>

Participant name	<automatically populated>	<a href="#">CI 28(a) Sch 6 FMCR</a>
Issuer email	Enter the email address for receiving notifications from the Registrar.	<a href="#">CI 28(b) Sch 6 FMCR</a>
FSP number	Enter the participant's registered financial service providers registration number.	<a href="#">CI 3 Sch 2 FMC Act</a>
Registration number of issuer in country of origin	Enter the number under which the participant is incorporated, formed or established (if done so in a jurisdiction outside New Zealand).	<a href="#">CI 28(a) Sch 6 FMCR</a>
Issuer website	If the Issuer maintains a website, enter the internet address of the website.	-
<b>DOCUMENTS</b>		
Product disclosure statement (PDS)	Upload the current PDS for the offer. Documents should be uploaded in a searchable .pdf format.	<a href="#">CI 3(1) Sch 2 FMC Act</a> <a href="#">Section 73 FMC Act</a>
PDS status	Select the current status of the PDS.	<a href="#">CI 3(1)(h) Sch 2 FMC Act</a> and <a href="#">Regulation 280 FMCR</a>
PDS to open on date offer opens	Select if the PDS will have the status 'open for applications' on the date the offer opens.	-
Supplementary PDS	Upload any document that supplements the PDS for the products offered. Documents should be uploaded in a searchable .pdf format.	<a href="#">Sections 71</a> and <a href="#">72 FMC Act</a>
Directors consent	Upload the statement evidencing the issuer's board's consent to lodgement of the PDS and supply of the information to appear on the Register.	<a href="#">Regulation 45 FMCR</a>
Issuer financial statement(s)	Upload the issuing group and other financial statements (including auditors report) required by the FMCR.	<a href="#">CI 29 Sch 6 FMCR</a>
Interim issuer financial statement(s)	Upload any interim financial statements (including auditors report, if any) required by the FMCR.	<a href="#">CI 29 Sch 6 FMCR</a>

Amended issuer financial statement(s)	Upload any amendments to issuing group and other interim financial statements required by the FMCR.	<a href="#">CI 29 Sch 6 FMCR</a>
Other financial information	Documents should be uploaded in a searchable .pdf format.	<a href="#">Regulation 42 FMCR</a>
Other material information	Upload all other documents required by the regulations to be disclosed on the register (such as material contracts (or summaries of them), issue expense information) and documents containing other material information in relation to the offer. Documents should be uploaded in a searchable .pdf format. If multiple documents are uploaded they should be clearly labelled and named in a manner that enables the material content to be easily identified.	<a href="#">Regulation 42 FMCR</a>

**Note:** The information contained in the key legislative references guide is provided for guidance only and is not intended to provide a comprehensive or complete source of information or advice. The Registrar of Financial Service Providers and the Companies Office do not accept any responsibility for the provision of any incorrect or incomplete information and disclaim any liability arising from the use of the information.

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