

Futures Contracts (PricewaterhouseCoopers) Exemption Notice 2013

Pursuant to section 48(1)(d) of the Securities Markets Act 1988, the Financial Markets Authority gives the following notice (to which is appended a statement of reasons of the Financial Markets Authority).

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Notice

- Title**
This notice is the Futures Contracts (PricewaterhouseCoopers) Exemption Notice 2013.
- Commencement**
This notice comes into force on the day after the date of its notification in the *Gazette*.
- Expiry**
This notice expires on the close of 30 November 2016.
- Interpretation**
(1) In this notice, unless the context otherwise requires, —
Act means the Securities Markets Act 1988
Firm means PricewaterhouseCoopers New Zealand
Regulations means the Futures Industry (Client Funds) Regulations 1990.



- (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.

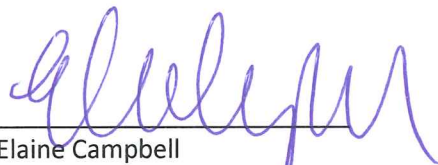
5 Exemptions

The Firm and every person acting on its behalf are exempted from regulations 3(1) and 24 of the Regulations.

6 Condition of exemptions

The exemptions in clause 5 are subject to the condition that neither the Firm nor any other person on its behalf holds for, or receives from or on behalf of, any client any client money or client property in the course of carrying on business as a dealer.

Dated at Wellington this 12th day of November 2013.



Elaine Campbell
Head of Market Supervision
Financial Markets Authority



Statement of reasons

This notice, which comes into force on the day after the date of its notification in the *Gazette* and expires on 30 November 2016, exempts PricewaterhouseCoopers New Zealand (the **Firm**) (a dealer under the Futures Industry (Client Funds) Regulations 1990) from the following provisions of those Regulations:

- regulation 3(1) (which requires a dealer to establish and maintain 1 or more client bank accounts);
- regulation 24 (which requires a dealer to ensure that its client records are audited).

The Financial Markets Authority considers that it is appropriate to grant the exemption because—

- the Firm will not hold client funds or client property in relation to its futures dealings. Accordingly, there is no regulatory benefit in requiring the Firm to have a client bank account under the Regulations or to have the client bank account audited; and

- the prohibition on holding client funds or client property in relation to futures dealing provides an adequate safeguard for preserving client money and client property; and
 - the exemptions remove the residual requirements of the Regulations that apply to the Firm. The exemptions are not broader than is reasonably necessary to address the matters that gave rise to them.
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