

Futures Contracts (Asia-Pacific Risk Management Limited) Exemption Notice 2012

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 (Asia-Pacific Risk Management Limited) Exemption Notice 2012.
- Commencement**

This notice comes into force on 1 June 2012.
- Expiry**

This notice expires on the close of 31 May 2015.
- Interpretation**
 - In this notice, unless the context otherwise requires, —
Act means the Securities Markets Act 1988
Regulations means the Futures Industry (Client Funds) Regulations 1990.
 - 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.



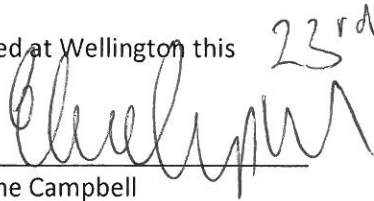
5 Exemption

Asia-Pacific Risk Management Limited and every person acting on its behalf are exempted from regulations 3(1) and 24 of the Regulations.

6 Condition of exemption

The exemption in clause 5 is subject to the condition that neither Asia-Pacific Risk Management Limited nor any other person on its behalf holds for, or receives from or on behalf of, any client any client money or client property.

Dated at Wellington this 23rd day of May 2012



Elaine Campbell
Head of Compliance Monitoring
Financial Markets Authority

Statement of reasons

This notice, which comes into force on 1 June 2012 and expires on 31 May 2015, exempts Asia-Pacific Risk Management Limited (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—

- Asia-Pacific Risk Management Limited, under the condition of the exemption, will not be permitted to hold for, or receive from or on behalf of, any client any client money or client property. Given this, there is no benefit in requiring it to maintain a client bank account. This also means that it will not have any client records to be audited; and

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- the Financial Markets Authority is satisfied that the prohibition against holding or receiving client money or client property provides an adequate alternative safeguard for preserving client money and client property.
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