

## Austraclear New Zealand System Application Pack – Nominated Trust Membership

*As at 03 December 2007*

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*Any queries should be directed to:*

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## Austraclear New Zealand System Nominated Trust Member Application Procedure

The following information is provided to assist with an application for Nominated Trust Membership of the Austraclear New Zealand System.

Please complete this document in full and return with the following supporting documents and supporting information with your application:

1 **Acceptance Letter – [Appendix I](#)**

This letter should be signed in accordance with the signatories on the application form.

2 **Pro-forma Confirmation of a Cash Account – [Appendix II](#)**

Please provide written confirmation from your bank that it is prepared to conduct an Austraclear New Zealand cash dealings account on your behalf.

3 **Notification of Authorised Signatories – [Appendix III](#)**

This form should be completed and signed, or in a mutually acceptable format.

4 **Anti-Money Laundering Questions – [Appendix IV](#)**

5 **Member Tax Status**

The Trustee to provide a New Zealand Tax Exemption Certificate

6 **Solicitors Letter – [Appendix V](#)**

7 **Portfolio Investment Entity (PIE) Registration Notification**

## Member Information

### Member Details

Name of Applicant ("the applicant")	
Registered Office Address	
Physical Address(if different from above)	
Postal Address (if different from above)	
Name of Trustee <sup>1</sup>	
Trustee Mnemonic	
Principal Contact Name	
Phone & Mobile Number	
Fax Number	
Email Address	
Mnemonic <sup>2</sup> <i>RBNZ ONLY</i>	

<sup>1</sup> Trustee must be a member of Austraclear NZ.

<sup>2</sup> 6 character unique Austraclear code used to identify Member as assigned by the RBNZ.

## Austraclear Operating Member Contacts

Operating Member Mnemonic	
Principal Contact Name	
Position within Company	
Phone & Mobile number	
Fax number	
Email Address	
Settlements Contact	
Phone & Mobile number	
Fax number	
Email Address	
(Group) Email Address	

### Member Billing Information

Contact Person	
Phone Number	
Fax Number	
Email address	
Preference method of receiving invoices (please circle)	<b>Email</b> <b>Fax</b> <b>Mailed</b>

**Bank Account Details:**

Please indicate which Bank Account number that transactions are to be cleared through.

Bank/Branch	Account

Is this member the sole owner of this account?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Mnemonic

**Modules Required** *(please tick)*

<input type="checkbox"/>	Cash Transfer	<input type="checkbox"/>	Fixed Interest
<input type="checkbox"/>	Equities	<input type="checkbox"/>	Foreign Exchange
<input type="checkbox"/>	Tender	<input type="checkbox"/>	Corporate Actions

**Requires Authorisation** *(please tick)*

<input type="checkbox"/>	CASH Payments	<input type="checkbox"/>	Fixed Interest Entry	<input type="checkbox"/>	Equity Entry
<input type="checkbox"/>	CASH Receipts	<input type="checkbox"/>	Foreign Exchange Entry	<input type="checkbox"/>	Corporate Action acceptance

### Branch Relationships<sup>3</sup>

Do you require this account to operate via a Branch Relationship? <i>(please tick)</i>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	= Operating Member Mnemonic:

What access rights do you want to grant to your Operating Member Mnemonic? <i>(please tick)</i>			
Function	Enquiry	Data Entry	Authorisation
Cash Transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Equities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fixed Interest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foreign Exchange	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corporate Actions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>3</sup> A Branch Relationship allows a member to authorise access from their Austraclear mnemonic to another Austraclear member (mnemonic).

# *Appendices*

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## Appendix I – Acceptance Letter

The applicant applies for **NOMINATED TRUST** membership of the Austraclear New Zealand system, and agrees that if such application is accepted, then subject to and in consideration of such acceptance:

- 1 The applicant will observe and comply with the Austraclear New Zealand Rules.
- 2 The applicant agrees that the rights and obligations created by the Austraclear New Zealand Rules are in addition to and not in derogation of or in substitution for rights and obligations existing under the Bills of Exchange Act 1908, or under the general law.
- 3 The applicant will observe and comply with the requirements and directions of the Reserve Bank of New Zealand, and any other relevant statutory authority relating to the provision of the Austraclear New Zealand system to the applicant.
- 4 The applicant will supply and maintain suitable computer equipment and will be responsible for its connection to and its continuing compatibility with the Austraclear New Zealand system and its means of connection as approved by the Reserve Bank of New Zealand.
- 5 This agreement is made with the intent that the benefit and obligations may enure, to the extent provided in the Austraclear New Zealand Rules, to every other member of the Austraclear New Zealand system who has agreed to observe and comply with the Austraclear New Zealand Rules and to the Reserve Bank of New Zealand.

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*(Name/Title)*

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*(Signature)*

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*(Name/Title)*

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*(Signature)*

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*(Date)*

Applications should be completed in accordance with the instructions given below:

*Instructions to Applicants*

*A Company can execute a document required to be by deed by signature under the name of the company by:*

- *Two or more directors*  
*or*
- *If there is only one director, by that director whose signature must be witnessed*  
*or*
- *If the constitution of the company so provides a director, or other person or class of persons whose signature or signatures must be witnessed*  
*or*
- *By duly appointed attorneys*

*Written agreements may be entered into on behalf of the company by persons acting under the company's express or implied authority. Similarly an obligation which, if entered into by a natural person is not, by law, required to be in writing may be entered into on behalf of a company in writing or orally by a person acting under the company's express or implied authority.*

## Appendix II Pro-Forma Confirmation of a Cash Account

*(to be on Clearing Bank letterhead)*

[Date]

Chief Financial Officer  
Financial Services Group  
Reserve Bank of New Zealand  
P O Box 2498  
WELLINGTON

Dear Sir

**BANK ACCOUNT FOR [NEW MEMBER/NEW MEMBER BRANCH]**

We advise we will be the clearing bank for the following client:

[ Name of Member (mnemonic)]

The account number will be [account number].

Yours sincerely

[Title]

## Appendix III Notification of Authorised Signatories

**Payments & Settlements Services  
Financial Services Group  
Reserve Bank of New Zealand**

### Rule 16.6 - Authorised Signatories

*(This form pertains only to and is to be used only for the Austraclear New Zealand system)*

Each Member shall notify the Reserve Bank of New Zealand of its Authorised Signatories in the following form:

NOTIFICATION OF AUTHORISED SIGNATORIES	
<b>To</b>	Financial Services Group Reserve Bank of New Zealand P O Box 2498 WELLINGTON
<b>Member Name</b>	
<b>Place of Incorporation</b>	
<b>Registered Office Address</b>	
<b>Facsimile</b>	

The above named Member **AUTHORISES** the persons listed below (a specimen of each of whose signature appears in the following Schedule) in the name and on behalf of that Member.

- 1 To have access to any record, printout, or account maintained by the Reserve Bank of New Zealand relating to the Member;
- 2 To enter into any arrangements with the Reserve Bank of New Zealand required for the maintenance of the Member's Security Account or Member's Cash Account;
- 3 To give, sign, or execute any authority, direction, notice, document, instrument, or thing whatsoever required to be given, signed, or executed by the Member relating to the Member's Security Account or Member's Cash Account or any Securities or other instruments held by the Reserve Bank of New Zealand.
- 4 Bind the member for the purpose of Austraclear New Zealand Rules.

This authority continues force until the Reserve Bank of New Zealand receives notification in writing from the Member of its cancellation. A later Notification by the Member of Authorised Signatories shall automatically cancel any previous notification.

Names of Authorised Signatories	Specimen Signatures

**FOR AND ON BEHALF OF**

\_\_\_\_\_

*(Name/Title)*

\_\_\_\_\_

*(Signature)*

\_\_\_\_\_

*(Name/Title)*

\_\_\_\_\_

*(Signature)*

\_\_\_\_\_

*(Date)*

## Appendix IV Anti-Money Laundering Questionnaire

1. Does your financial institution/bank prohibit accounts/relationships with shell banks (a shell bank is defined as a bank incorporated in a jurisdiction in which it has no physical presence and which is unaffiliated with a regulated financial group?)

Yes they are prohibited

No they are not prohibited

2. Does your Financial Institution/Bank prohibit customers from maintaining anonymous accounts (ie, accounts for which your financial institution/bank does not know the owner?)

Yes they are prohibited

No they are not prohibited

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*(Authorised Signatory)*

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*(Authorised Signatory)*

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*(Date)*

## Appendix V Pro-Forma Solicitors Letter

*(to be on Solicitors letterhead)*

[Date]

Chief Financial Officer  
Financial Services Group  
Reserve Bank of New Zealand  
P O Box 2498  
WELLINGTON

Dear Sir

**[MEMBER]**

1. We act for the above Member of Austraclear ('Our Client')
2. We understand that the Reserve Bank requires, in connection with our client's application for Nominated Trust Membership of Austraclear, a certificate from ourselves to the effect that our client meets the prerequisites to Nominated Trust that are set out in Regulation 5 of the Austraclear Rules.
  - a. Our client is a Trustee as defined in Section 2 of the Trustees Companies Act 1967, and which acts as a Trustee for the purposes of a deed constituting a trust fund in which units have been or are to be issued to the public; or
  - b. Is (or is a wholly-owned subsidiary of) a company authorised by statute to act as a trustee, and is acting as a trustee or representative for the purposes of a deed constituting a trust fund in which it has no material beneficial interest and the management of which is vested in a corporation not directly or indirectly associated with or related to the Member.

Authorised Signatory

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