



Limited Partnerships Amendment Regulations 2014

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 28th day of July 2014

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 116 of the Limited Partnerships Act 2008, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- 1 Title**
 These regulations are the Limited Partnerships Amendment Regulations 2014.
- 2 Commencement**
 These regulations come into force on 1 September 2014.
- 3 Principal regulations**
 These regulations amend the Limited Partnerships Regulations 2008 (the **principal regulations**).
- 4 Regulation 3 amended (Interpretation)**
 In regulation 3, definition of **details of the partner or partners**, replace paragraph (a) with:
 “(a) in the case of a partner who is an individual, his or her full name, date and place of birth, and residential address.”.
- 5 Regulation 4 amended (Application for registration of limited partnership)**
 After regulation 4(d), insert:
 “(da) in relation to every proposed general partner who is an individual and who resides in an enforcement country,—
 “(i) whether the individual is the director of any company registered (except as the equivalent of an overseas company) in that country; and
 “(ii) if so, that company’s—
 “(A) registered name; and
 “(B) registration number or other unique identifier; and

- “(C) registered office or, if there is no registered office required by law, the company’s address for service:
- “(db) for every proposed general partner that is a company, limited partnership, or partnership governed by the Partnership Act 1908, the full name, date and place of birth, and residential address of every director, general partner, or partner of that company, limited partnership, or partnership:
- “(dc) for every individual referred to in paragraph (db) who resides in an enforcement country,—
 - “(i) whether the individual is the director of any company registered (except as the equivalent of an overseas company) in that country; and
 - “(ii) if so, that company’s—
 - “(A) registered name; and
 - “(B) registration number or other unique identifier; and
 - “(C) registered office or, if there is no registered office required by law, the company’s address for service:”.

6 Regulation 5 amended (Application for registration of overseas limited partnership)

In regulation 5(f), replace “their date of birth” with “their dates and places of birth”.

7 Regulation 8 amended (Annual return of overseas limited partnership)

In regulation 8(d), replace “their date of birth” with “their dates and places of birth”.

8 New regulations 13 and 14 inserted

After regulation 12, insert:

“13 Enforcement countries

The Commonwealth of Australia is an enforcement country for the purpose of section 8(4) of the Act.

“14 Prescribed countries

The Commonwealth of Australia is a prescribed country for the purpose of section 19A(2)(g) and (h) of the Act.”

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 September 2014, amend the Limited Partnerships Regulations 2008 (the **principal regulations**)—

- to require on every application to register a limited partnership the place of birth for every proposed partner who is an individual; and
- to specify that Australia is an enforcement country for the purpose of section 8(4) of the Limited Partnerships Act 2008 (the **Act**); and
- to prescribe certain directorship information in relation to every individual who is a proposed general partner of a limited partnership and resides in an enforcement country and is the director of a company in that country; and
- to prescribe similar information in relation to every individual who is the director, partner, or general partner of a proposed general partner that is not an individual (ie a company, partnership, or unincorporated body); and
- to specify that Australia is a prescribed country for the purpose of section 19A of the Act (which disqualifies certain persons who have been disqualified in a prescribed country, state, or territory from being involved in the management of an overseas limited partnership).

Regulatory impact statement

The Ministry of Business, Innovation, and Employment produced regulatory impact statements on 30 June and 27 July 2010 to help inform the decisions taken by the Government relating to the contents of this instrument.

Copies of these regulatory impact statements can be found attached to the relevant Cabinet papers at <http://www.med.govt.nz/business/business-law/current-business-law-work/companies-act-changes>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 31 July 2014.

These regulations are administered by the Ministry of Business, Innovation, and Employment.
