

ADD AND/OR REMOVE ACCOUNT HOLDER FROM JOINT HOLDING ACCOUNTS DECLARATION FORM

December 2009

FOR THE NEW ZEALAND EMISSION UNIT REGISTER
(PURSUANT TO THE CLIMATE CHANGE RESPONSE ACT 2002 AND THE CLIMATE CHANGE
(UNIT REGISTER) REGULATIONS 2008)

INSTRUCTIONS

IMPORTANT: Please read the following Instructions and Notes carefully before completing the Add and/or Remove Account Holder from Joint Holding Accounts Declaration Form. If the form is completed incorrectly, then your application may be rejected or delayed.

WHEN DO I USE THIS FORM?

1. Use this form to apply to the Registrar of the New Zealand Emission Unit Register (Unit Register) when you wish to add and/or remove an account holder from a holding account that is held jointly by 2 or more persons that are not Members of an Unincorporated Body (as defined by section 4 of the Climate Change Response Act 2002).
2. New Zealand Emissions Trading Scheme (NZ ETS) participants who are Unincorporated Bodies must not use this form. Any changes to the Members (and therefore account holders) of an Unincorporated Body must be notified to the Chief Executive of the Ministry of Economic Development (see section 157A). The Chief Executive will then notify the Registrar who will add and/or remove account holder(s) accordingly (see regulation 6(5) of the Climate Change (Unit Register) Regulations 2008).
3. The form must be signed by all the joint account holders of the holding account in the Unit Register.
4. If all joint account holders want to close the holding account then please use the Account Holder Close Holding Account Declaration Form.
5. Please note that if the removal of joint account holder(s) results in there being no Primary Representatives on the holding account then the remaining account holder(s) will not be able to operate the holding account until they appoint new Primary Representative(s) using the Primary Representative Appointment and Removal Declaration Form. This situation can be avoided by appointing new Primary Representatives before account holders are removed.

WHERE DO I SEND THIS FORM ONCE I HAVE COMPLETED IT?

6. The completed form must be sent to the Registrar either by fax to +64 4 978 3661 or by scanning and emailing it to climatechange@med.govt.nz
7. Account holders will not be registered as being added and/or removed until a properly completed declaration form has been received and is accepted by the Registrar.



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NOTES

Please read the Instructions and Notes below before completing the Add and/or Remove Account Holder from Joint Holding Accounts Declaration Form.

PART A DETAILS OF ACCOUNT

- 1** **Holding Account Name:** Insert the name of the relevant holding account as recorded on the Unit Register. NOTE: This is the name of the holding account NOT the name of the account holder.
- 2** **Holding Account Number:** Insert the account number of the relevant holding account in the Unit Register.

PART B DETAILS OF ACCOUNT HOLDER BEING ADDED TO THE JOINT HOLDING ACCOUNT

- 3** **Account Holder Full Legal Name:** Insert the full legal name and the contact details of the person being added as an account holder. Account holders must be qualified persons as defined in regulation 3 of the Climate Change (Unit Register) Regulations 2008 (see qualifying criteria on page 3).
- 4** **Requested Date of Removal (if any):** Please insert the requested date that the person is to be added to the joint holding account. The Registrar will endeavour to add the person(s) within 3 working days of receiving a properly completed declaration form or within 3 working days of the requested date of addition, whichever is the later.

PART C DETAILS OF ACCOUNT HOLDER BEING REMOVED FROM THE JOINT HOLDING ACCOUNT

- 5** **Account Holder Full Legal Name:** Insert the full legal name and the contact details of the person being removed as an account holder.
- 6** **Requested Date of Removal (if any):** Please insert the requested date that the person is to be removed from the joint holding account. The Registrar will endeavour to remove the person(s) within 3 working days of receiving a properly completed declaration form or within 3 working days of the requested date of removal, whichever is the later.

PART D ACCOUNT HOLDER DECLARATION

- 7** **Please read carefully before signing the declaration.** The declaration must be signed by all account holder(s) of the joint holding account (including, every trustee, every joint owner of land, every member of a joint venture, and every partner in a partnership).

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(EXTRACT FROM CLIMATE CHANGE (UNIT REGISTER) REGULATIONS 2008)

QUALIFYING CRITERIA

Please read the qualifying criteria below before completing the Add and/or Remove Account Holder from Joint Holding Accounts Declaration Form.

DEFINITION OF QUALIFIED PERSON

qualified person means a person –

- (a) who is a member of an unincorporated body whose name is entered on a register kept for the purposes of section 56 or 57 of the Act; or
- (ab) who is a person, other than a person referred to in paragraph (a) whose name is entered on a register; or
- (b) who is entitled to receive, or has received, an allocation of New Zealand units free of charge in accordance with subpart 2 or Part 4 of the Act; or
- (c) who, if an individual, –
 - (i) is 18 years of age or older; and
 - (ii) is not –
 - (A) an undischarged bankrupt; or
 - (B) subject to a property order under the Protection of Personal and Property Rights Act 1988; or
 - (C) subject to a personal order under the Protection of Personal and Property Rights Act 1988 that reflects adversely on the person's competence to manage his or her own affairs in relation to his or her property or capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care or welfare; or
 - (D) prohibited from being a director or promoter of, or being concerned or taking part in the management of, a company under section 382, 383, or 385 of the Companies Act 1993; or
 - (E) a person who has been convicted of an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty; or
 - (F) a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Securities Act 1978, the Securities Markets Act 1988, or the Takeovers Act 1993; or
 - (G) a person to whom a provision that is, under the law of a jurisdiction other than New Zealand, equivalent to any of the provisions specified in subsubparagraphs (A) to (F) applies; or
- (d) who, if not an individual, –
 - (i) is –
 - (A) a New Zealand entity established, registered, or incorporated in New Zealand in accordance with the laws of New Zealand; or
 - (B) an Australian company established, registered, or incorporated in Australia in accordance with the laws of Australia; or
 - (C) an overseas company, including an Australian company, registered in New Zealand in accordance with the Companies Act 1993; and
 - (ii) is not an entity that –
 - (A) has been, or is being, wound up; or
 - (B) is in liquidation; or
 - (C) is subject to statutory management under the Corporations (Investigation and Management) Act 1989; or
 - (D) has a director or an officer who is not qualified to open a holding account; or
 - (E) has a shareholder who holds more than a simple majority of the shares in the entity and is not qualified to open a holding account; or
 - (F) has been convicted of an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty; and
 - (iii) is not, under the law of a jurisdiction other than New Zealand, an entity that –
 - (A) is subject to management equivalent to statutory management under the Corporations (Investigation and Management) Act 1989; or
 - (B) has been convicted of an offence equivalent to an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty.

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DECLARATION

IMPORTANT: Please read the Instructions and Notes on pages 1 and 2 before you complete this declaration e. g. **1** refers to Note 1 on page 2.

- > Please read the criteria on page 3 to ensure that the person qualifies to be an account holder.
- > Please complete this form using capital letters – do not use abbreviations.
- > This form is a writable PDF. You may complete this form on-line, and then print it. You will NOT be able to save it.
- > This form is to be completed then signed by all the account holders of the holding account in Unit Register.
- > The completed form must be sent to the Registrar of the Unit Register either by fax to +64 4 978 3661, or by scanning and emailing it to climatechange@med.govt.nz

PART A DETAILS OF HOLDING ACCOUNT

1 Holding Account Name

2 Holding Account Number

PART B DETAILS OF ACCOUNT HOLDER BEING ADDED TO THE JOINT HOLDING ACCOUNT

Insert full legal name of the person(s) to be added to the joint holding account. (Please print extra pages as required)

3 Account Holder
Full Legal Name

Company/Limited Partnership/
Incorporated Society
Registration Number

Phone Number

Email Address

Physical Address for Service in New Zealand

STREET NUMBER	STREET/RURAL ROAD NAME	FLOOR/LEVEL
BUILDING/PROPERTY NAME		FLOOR/LEVEL
TOWN/CITY		POSTAL CODE/RD NUMBER

Postal Address (if different from physical address)

PO BOX/PRIVATE BAG NUMBER	POSTAL CODE
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4 Requested Date of Removal (if any)

3 Account Holder
Full Legal Name

Company/Limited Partnership/
Incorporated Society
Registration Number

Phone Number

Email Address

Physical Address for Service in New Zealand

STREET NUMBER	STREET/RURAL ROAD NAME	FLOOR/LEVEL
BUILDING/PROPERTY NAME		FLOOR/LEVEL
TOWN/CITY		POSTAL CODE/RD NUMBER

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PART C DETAILS OF ACCOUNT HOLDER BEING REMOVED FROM THE JOINT HOLDING ACCOUNT

Insert full legal name of the person(s) to be removed from the joint holding account. (Please print extra pages as required)

5	Account Holder Full Legal Name	Company/Limited Partnership/ Incorporated Society Registration Number	
	Phone Number	Email Address	
Physical Address for Service in New Zealand			
STREET NUMBER		STREET/RURAL ROAD NAME	
BUILDING/PROPERTY NAME		FLOOR/LEVEL	
TOWN/CITY		POSTAL CODE/RD NUMBER	
Postal Address (if different from physical address)			
PO BOX/PRIVATE BAG NUMBER		POSTAL CODE	
6	Requested Date of Removal (if any)		

5	Account Holder Full Legal Name	Company/Limited Partnership/ Incorporated Society Registration Number	
	Phone Number	Email Address	
Physical Address for Service in New Zealand			
STREET NUMBER		STREET/RURAL ROAD NAME	
BUILDING/PROPERTY NAME		FLOOR/LEVEL	
TOWN/CITY		POSTAL CODE/RD NUMBER	
Postal Address (if different from physical address)			
PO BOX/PRIVATE BAG NUMBER		POSTAL CODE	
6	Requested Date of Removal (if any)		

5	Account Holder Full Legal Name	Company/Limited Partnership/ Incorporated Society Registration Number	
	Phone Number	Email Address	
Physical Address for Service in New Zealand			
STREET NUMBER		STREET/RURAL ROAD NAME	
BUILDING/PROPERTY NAME		FLOOR/LEVEL	
TOWN/CITY		POSTAL CODE/RD NUMBER	
Postal Address (if different from physical address)			
PO BOX/PRIVATE BAG NUMBER		POSTAL CODE	
6	Requested Date of Removal (if any)		

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> Please print extra pages as required.

PART D ACCOUNT HOLDER DECLARATION

7 The account holder(s)

- > authorises the Registrar to add and/or remove persons as account holders as specified in this declaration form, and
- > declares that the information provided in this declaration form is true and accurate.

Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				
Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				
Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
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