



26 February 2018

Karen Martyn

fyi-request-7283-143317e1@requests.fyi.org.nz

fyi-request-7282-b8b4dda1@requests.fyi.org.nz

fyi-request-7253-1d2b32d3@requests.fyi.org.nz

fyi-request-7252-ff95f1dd@requests.fyi.org.nz

fyi-request-7251-694de346@requests.fyi.org.nz

Dear Karen Martyn

Official Information Act 1982 Requests

I refer to various requests for information under the Official Information Act 1982 (OIA) which you submitted through the FYI website on 12 and 15 February 2018 and which are all being dealt with in this response.

You have asked the following:

“(1) I would be grateful if you would confirm whether or not there have been any prosecutions of director(s) or former director(s) under section 145 use of company information since the Act went into effect. If there have been prosecutions, a list would be appreciated.

(2) I would be grateful if you could provide a list of the cases where directors have been prosecuted for breach of section 146 including all subsections since 1993 when the Act came into effect.

(3) I would be grateful if you could state whether any directors in NZ have been prosecuted for s132(1) and/or s132(2) of the Companies Act 1993.

(4) I would be grateful if you could confirm that there have been no prosecutions made under s 133 CA93. If there have been any prosecutions, I would be grateful for the case name(s).

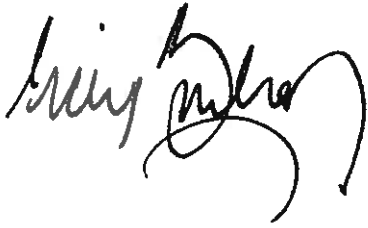
(5) I would be grateful if you would provide any criminal prosecutions under s87(1) since 1993 for failure to keep a share register.”

There are no offence provisions included in sections 132(1) & (2), 133, 145 and 146 of the Companies Act 1993. Therefore, the Registrar of Companies has not prosecuted any person under these sections.

Section 87 does contain an offence provision but the Registrar of Companies has not taken any prosecutions under this section.

If you have further questions, you may wish to submit these directly to the Companies Office at info@companies.govt.nz

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Brosnahan". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Brosnahan".

Michael Brosnahan
Deputy Registrar of Companies