

Reference: 20150517



16 December 2015

Lance-Desmond: Lavery
fyi-request-3472-ba3ff523@requests.fyi.org.nz

Dear Lance-Desmond: Lavery

Thank you for your Official Information Act request, received on 14 December 2015. You requested the following (verbatim):

1. The corporate nature, legal standing and registration details of...

HER MAJESTY THE QUEEN IN RIGHT OF NEW ZEALAND, CIK#: 0000216105, corporation.

The reference you have given (0000216105) is the Central Index Key number of the Crown's registration with the United States Securities and Exchange Commission (SEC). The reason the Crown is registered with the SEC is that the Crown has issued securities in the United States in the past. The United States Securities Act 1933 provides that in order to issue securities within the United States an issuer must be registered with the SEC.

Section 65 of New Zealand's Public Finance Act 1989 (PFA) provides that if a security is given for money borrowed it must be given in name of the Sovereign. Sovereign is defined in the PFA as the Sovereign in Right of New Zealand. This is why the New Zealand Government is registered on the SEC as 'Her Majesty the Queen in Right of New Zealand.'

It is important to note that the Crown is not registered with the SEC as a corporation. Rather, it is listed as a Foreign Government.

A detailed discussion of the status and nature of the Crown can be found in Joseph, P.A. (2014) *Constitutional and Administrative Law in New Zealand* (4th ed.).

This fully covers the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely



Adam Wood
Deputy Treasury Solicitor



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