

6. COSTS AND FEES PAYABLE BY NZAX ISSUERS

6.1 FEES

NZAX Issuers shall pay to NZX all fees prescribed by NZX from time to time.

6.2 COSTS

- 6.2.1 Costs of Exercise of Powers:** An NZAX Issuer shall, when called upon by NZX to do so, pay all costs and expenses incurred by NZX, NZX Regulation Personnel and NZX Discipline, and any person authorised by NZX in carrying out the functions and exercising the rights and powers conferred by the NZAX Listing Rules in respect of that NZAX Issuer. The costs and expenses so payable may include an appropriate proportion of the remuneration and other overhead costs of NZX in relation to such matters. *(Amended 1/5/04)*
- 6.2.2 Bond or Deposit:** Every applicant for an NZAX Listing shall, before it is Listed, deliver to NZX a bond in a form approved by NZX, for an amount determined by NZX in accordance with NZAX Listing Rule A6.2.3, and given by a person approved by NZX for this purpose. Any NZAX Issuer which has not complied with this NZAX Listing Rule before Listing shall do so when required by NZX. NZX may, in respect of any applicant for Listing or NZAX Issuer, agree to accept, in lieu of a bond, a deposit of money on such terms as NZX may determine.
- 6.2.3 Purpose and Amount:** Each deposit or bond made or given pursuant to NZAX Listing Rule A6.2.2 shall be made or given to secure to NZX the payment of all moneys payable to NZX by the NZAX Issuer under the NZAX Listing Rules. NZX may from time to time determine the amount of each such deposit or bond. If NZX increases that amount, each NZAX Issuer shall upon request by NZX increase the amount of the deposit made by that NZAX Issuer, or procure the amount of the bond provided in respect of that NZAX Issuer to be increased. If any portion of a deposit or bond is applied in payment of moneys payable to NZX by the NZAX Issuer, the NZAX Issuer shall forthwith cause the deposit or bond to be reinstated to its previous amount.