

# Investment Statement for Foreign Currency Term Investments

This is an Investment Statement for the purposes of the Securities Act 1978 for Foreign Currency Term Investments issued by Westpac New Zealand Limited (Westpac NZ) from time to time.

This Investment Statement is prepared as at 23 June 2010. It applies to offers of Foreign Currency Term Investments made on or after 1 July 2010.

## Important information

(The information in this section is required under the Securities Act 1978.)

Investment decisions are very important. They often have long-term consequences. Read all documents carefully. Ask questions. Seek advice before committing yourself.

### What sort of investment is this?

A Foreign Currency Term Investment is a bank deposit in a specified foreign currency for a fixed term with a fixed rate of interest.

### Who is involved in providing it for me?

The issuer is Westpac New Zealand, Level 15, PWC Tower, 188 Quay Street, Auckland. Westpac NZ was incorporated in New Zealand on 14 February 2006. Westpac NZ is a registered bank under the Reserve Bank of New Zealand Act 1989.

Westpac NZ's directors at the date of this investment statement are:

- Elizabeth Bryan
- George Frazis
- Ralph Waters
- Philip Coffey
- Harold Price
- Peter Wilson

The directors may change from time to time without notice to you. See the Companies Office website at [www.companies.govt.nz](http://www.companies.govt.nz) for details.

From 1861 until October 2006, Westpac Banking Corporation operated as a full service branch of the Australian bank. On 1 November 2006, the assets and liabilities which related to Westpac Banking Corporation's New Zealand retail banking business (including Foreign Currency Term Investments) vested in Westpac NZ pursuant to the Westpac New Zealand Act 2006. Westpac NZ provides a full range of financial services for retail and banking customers, including home and business lending. Westpac Banking Corporation does not guarantee any of Westpac NZ's obligations in relation to Foreign Currency Term Investments.

### How much do I pay?

Foreign Currency Term Investments may be made in the following currencies, with the current minimum deposits set out below:

United States dollars	USD5,000
British pounds	GBP4,000
Australian dollars	AUD8,000
Canadian dollars	CAD8,000
Euro currency	EUR5,000
Hong Kong dollars	HKD40,000
Japanese yen	JPY1,000,000
Singapore dollars	SGD12,000
Swiss francs	CHF10,000

Westpac NZ may also be able to arrange a deposit in other currencies, which also will be subject to minimum deposits. To invest you must pay at least the minimum deposit in the relevant currency. The minimum deposits payable in respect of each foreign currency are set from time to time by Westpac NZ in its discretion. Details of the minimum deposits may be obtained from any of Westpac NZ's branches.

The investment is payable to Westpac NZ at any branch at the time the investment is made by telegraphic transfer or foreign bank draft or any other manner you and Westpac NZ may agree. You then have a seven day cooling off period during which you may cancel the Foreign Currency Term Investment and receive a full refund in the relevant foreign currency of your investment without interest. Further sums may be added to the original deposit only at reinvestment date.

### What are the charges?

Charges will apply when you deposit any telegraphic transfers, bank drafts, travellers' cheques, foreign cash, foreign cheques or documentary related transactions into your Foreign Currency Term Investment account.

A NZ\$5 charge will apply when you deposit any foreign cheques, travellers' cheques or bank drafts into your Foreign Currency Term Investment account. These deposits may also incur transit interest. A cash handling price of 2% (min. NZ\$35) will be charged when you deposit foreign cash into your Foreign Currency Term Investment account.

Your investment can only be repaid before the end of the fixed term if Westpac NZ agrees and only in the currency that the investment was made. A reduced rate of interest, determined by Westpac NZ, will apply to investments repaid before maturity.

Full details of our service prices are available at any Westpac NZ branch. Westpac NZ reserves the right to alter its prices from time to time and may deduct any prices payable from your Foreign Currency Term Investment account.

## What returns will I get?

Interest is paid by Westpac NZ on the sum invested, at the fixed rate advertised by Westpac NZ for deposits of that term on the day the investment is made by you. Interest is based on the applicable market rate (based on the wholesale deposit rate in the country of the currency) less a bank margin (which is dependent on the investment amount). In some cases with Foreign Currency Term Investments a 0% p.a. interest rate may apply. Interest is payable at maturity into another account with Westpac NZ or it can be reinvested with your original principal into a new Foreign Currency Term Investment. Unless otherwise instructed automatic renewal will occur at each successive maturity for the same term at the rate of interest which is then currently being paid by Westpac NZ.

Interest is paid and the principal is repaid in the currency in which the investment is made. The amount of interest cannot be quantified as at the date of this Investment Statement. Westpac NZ must deduct either Resident or Non Resident Withholding Tax from the gross interest payable to you. Alternatively, non residents may elect to receive tax free interest, however an Approved Issuer Levy will apply. Depending on your circumstances, you may have further tax to pay on any interest and you may be taxable on any foreign exchange movements. This is a general guide only and we suggest you seek professional tax advice.

A minimum balance applies for the payment of interest. You will only earn interest at the applicable rate if your Foreign Currency Term Investment has the set minimum balances in each currency. Refer to the 'How much do I pay?' section. Foreign Currency Term Investments are available for terms from thirty days to six months.

In the event of the change of any applicable laws and regulations or the interpretation of those laws or regulations by any court or government authority which would make it impossible for Westpac NZ to maintain or give effect to its obligations in relation to the Foreign Currency Term Investment, Westpac NZ shall during the period that such condition exists be discharged from those obligations.

Westpac NZ is legally liable to pay you the returns on the Foreign Currency Term Investment. Foreign Currency Term Investments are not guaranteed by any member of the Westpac Banking Corporation group.

Westpac NZ has a guarantee under a Crown retail deposit guarantee scheme, being a guarantee that expires on 11 October 2010. Further information about the deposit guarantee scheme is available, free of charge and at all reasonable times, on the Internet site maintained by, or on behalf of, the Treasury. The most recent audited statement of financial position of the Crown is available, free of charge and at all reasonable times, on the Internet site maintained by, or on behalf of, the Treasury.

## What are my risks?

The Foreign Currency Term Investment is made, maintained and repaid to you in the relevant foreign currency. Should the value of the New Zealand dollar increase in relation to the relevant foreign currency during the period of the investment, the New Zealand dollar value of both the principal and interest of your investment will decrease.

Where Westpac NZ is required to, or does, convert foreign currency funds to or from New Zealand or any other currency, such conversion is subject to the rate and conditions of exchange current at the time of conversion. Any exchange risk resulting from the conversion of foreign currencies is the responsibility of the account holder alone. Westpac NZ does not accept any liability for any loss investors may suffer as a result of Westpac NZ (or any other person) converting currencies on the investor's behalf.

Foreign Currency Term Investments are an unsecured investment. In the event of Westpac NZ's insolvency, your claim on the New Zealand assets of Westpac NZ would rank at least equally to all other New Zealand unsecured creditors of Westpac NZ but behind claims preferred by statute. Should a statutory manager be appointed to Westpac NZ a moratorium on enforcement rights may be imposed. You will not be liable to pay any further money as a result of Westpac NZ's insolvency or otherwise. If you owe us money and do not pay that debt, then we may use the credit balance of any of your accounts, including your Foreign Currency Term Investment to pay off or put towards that unpaid amount. To achieve this, we may transfer funds from one account to another and may break your term investment. In addition, Westpac NZ may be required by law in certain circumstances to pay some or all of your funds to Government authorities (for example tax obligations or where a liable parent order is made).

## Can the investment be altered?

The terms of the Foreign Currency Term Investment can only be changed by agreement between you and Westpac NZ.

## How do I cash in my investment?

Any payment of principal and/or interest will be repayable by Westpac NZ in the currency in which the Foreign Currency Term Investment account is conducted. Westpac NZ is not obliged to convert foreign currency funds to New Zealand dollars and if it does so the possible exchange risk arising from conversion of the currencies is the responsibility of the account holder alone, as described above under 'What are my risks?'

You can only have the investment repaid before the end of the fixed term if Westpac NZ agrees. In that event a reduced rate of interest will apply, as referred to above under 'What are the charges?' You may not sell, assign, mortgage or charge your rights to your Foreign Currency Term Investment account, including any credit balances (other than to us) without our prior written consent.

## **Who do I contact with inquiries about my investment?**

Inquiries or feedback about Foreign Currency Term Deposits may be made to any of our staff at any branch of Westpac NZ during normal business hours or by calling us on 0800 400 600 (7am to 11 pm, seven days a week).

## **Is there anyone to whom I can complain if I have problems with the investment?**

Complaints about Foreign Currency Term Deposits may be made to any of our staff at any branch of Westpac NZ during normal business hours or by calling us on 0800 400 600 (7am to 11 pm, seven days a week). Complaints may also be directed to Westpac NZ Customer Advocacy, Freepost 125436, PO Box 934, Auckland 1140.

In addition, you may refer an inquiry to the Office of the Banking Ombudsman for independent review if you are dissatisfied with Westpac NZ's response to your complaint. The Banking Ombudsman may be contacted by writing to Level 11, BP House, 20 Customhouse Quay, Freepost 218002, PO Box 10573, The Terrace, Wellington 6143 or by calling 0800 805 950 or email to [help@bankomb.org.nz](mailto:help@bankomb.org.nz).

Westpac NZ subscribes to the New Zealand Bankers' Association Code of Banking Practice, which sets out minimum standards for resolving complaints.

## **What other information can I obtain about this investment?**

For each Foreign Currency Term Investment a Certificate will be issued and annually a tax certificate will be provided. Further information about the Foreign Currency Term Investment and about Westpac NZ as issuer of the investment is contained in the following documents which can be requested free of charge at any branch of Westpac NZ.

- Westpac NZ's most recent General Disclosure Statement issued pursuant to section 81 of the Reserve Bank of New Zealand Act 1989 including financial statements;
- Westpac NZ's most recent Key Information Summary issued pursuant to section 81 of the Reserve Bank of New Zealand Act 1989;
- Westpac NZ's Customer Information brochures;
- the New Zealand Bankers' Association Code of Banking Practice; and
- further copies of this Investment Statement.

A copy of Westpac NZ's most recent financial statements that have been registered under the Financial Reporting Act 1993 (together with all documents required to be registered with those financial statements) is filed with the Companies Office of the Ministry of Economic Development which can be inspected on its website at [www.companies.govt.nz](http://www.companies.govt.nz) or (on payment of the relevant fee) by telephoning the Ministry of Economic Development Business Service Centre on 0508 266 726 at any time during normal business hours.

## **Privacy Act 1993**

Westpac NZ collects and holds personal information about applicants for Foreign Currency Term Investments for administration purposes and to make them aware of the full range of financial services provided by Westpac NZ and any entity within the Westpac Banking Corporation group. You may request access to any personal information Westpac NZ holds about you by calling 0800 400 600 between 7am and 11 pm seven days a week. You may also ask us to correct any personal information Westpac NZ holds about you. Depending on the nature of the request, Westpac NZ may impose a charge for providing you with or correcting any personal information.