

Subject: RE: OIA 2023/13: Financial statements sitting outside of an issuer's annual report
Date: Monday, 28 August 2023 at 4:05:07 PM New Zealand Standard Time
From: [REDACTED]
To: Patrick Shonakan <ps@mcguinnessinstitute.org>
CC: Wendy McGuinness <wmcg@mcguinnessinstitute.org>
Attachments: image003.png, image004.png, image1f19ef.JPG, imagecd25a0.PNG, image9ad4ea.PNG, image769c7a.PNG, imaged2ab09.PNG, imagedf901e.JPG, image800b0d.GIF

Dear Patrick

Thank you for your email in relation to issuers releasing their financial statements as a separate document rather than as part of their annual report. We confirm we have discussed this matter with NZX Regulation Limited.

1. We confirm that the requirement to provide financial statements as you set out has not changed.
2. Although the natural reading of section 211 of the Companies Act 1993 and NZX Listing Rule 3.7 is that the financial statements should be incorporated into a single annual report document, that is not expressly provided for.
3. Nonetheless, NZX Regulation Limited will be engaging with Auckland International Airport Limited to make clear the expectation that future annual reports should incorporate the financial statements as a part of that document. Both the Financial Markets Authority and NZX Regulation Limited consider that shareholders have not been disadvantaged in this instance as the financial statements were readily available and released alongside the annual report. Accordingly, we do not intend to take any action in relation to the already released annual reports. We have also communicated the expectation that the financial statements be incorporated into the annual report as a single document with auditors so that they can communicate this with their audit clients for future reporting.

Please note, we have considered your email as a query and not a request for information under the Official Information Act.

Regards
[REDACTED]

[REDACTED] Manager, Investor Information
[REDACTED]
[REDACTED]

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