



Commitment to Reside (Individuals – otherwise sensitive land)

Application for consent to buy a home in New Zealand to live in (Residential land that is also sensitive for other reasons)

Fill out this form if **all** of the following apply:

- you wish to buy or build a home in New Zealand on residential land that is also sensitive for other reasons
- you have a New Zealand residence class visa, or are a citizen or permanent resident of Australia or Singapore
- you are not ordinarily resident in New Zealand
- the home will be bought in your name, or the name of you and other people
- you intend to live in the house as your main home.

You can use this form if you have found a home to buy, or to get pre-approval if you have not yet chosen something to buy.

Note: Someone else can fill out the form, but **cannot** sign it for you.

Note: You are ordinarily resident in New Zealand if you have been living in New Zealand for at least 12 months, have been present in New Zealand for at least 183 days of those 12 months, hold a New Zealand residence class visa (or are a citizen or permanent resident of Australia or Singapore), and are a New Zealand tax resident.

Note: Residential land is land with a property category of 'residential' or 'lifestyle'. Property categories are given by a territorial authority (usually district or city council) in its district valuation roll. Residential land is usually indicated by a category code 'R' or 'L'. Contact the territorial authority who controls the land you wish to purchase and ask them about the property category of the land, or check a property website such as www.qv.co.nz

Note: Sensitive land includes residential land and some other types of land, for example rural land (including lifestyle blocks) larger than 5 hectares, and some coastal land. Sensitive land is described in Part 1 of Schedule 1 of the Overseas Investment Act 2005 as explained here: www.lin.govt.nz/oio/sensitive. You should seek legal advice if you are in any doubt about the type of land you wish to buy.



Checklist of documents to include

Evidence that each person has a New Zealand residence class visa or is a citizen or permanent resident of Australia or Singapore

Evidence that each person has sufficient knowledge and experience and financial commitment to buy the land

For each person, a copy of the identity pages of their passport

Any information to declare about the good character of any of the people applying for consent.

Contact details if you have questions about your application

Phone: 0800 665 463 (in NZ) or +64 7 974 5595 (if overseas)

Email address: oio@lin.govt.nz

Section 1

Tell us about the people who will own the home

Fill out this section for each of the people from overseas who will share in the ownership of the home.

Note: If you are buying the home with someone else and it is relationship property (that is, you are living in a de facto, civil union or marriage relationship with a person who will be an owner), you only need to provide details for one of the two of you.

Person 1

1. Name
(include other names the person is known by)

First names

Family name

Other names the person is known by

2. Date of birth

DD

MM

YYYY

3. Which of the following applies?

I have a New Zealand residence class visa

I am a citizen or permanent resident of Australia or Singapore



What category of residence visa do you have?

What is the residence visa start date?

DD

MM

YYYY

4. Address in New Zealand

You must have a New Zealand postal or street address where we can send correspondence and legal documents. This can be the address of an agent (someone who is advising you or acting on your behalf for this application), and can be the same address for all people signing this form.

5. Email

6. Phone number

Person 2

7. Name (include other names the person is known by)
- First names Family name
- Other names the person is known by
8. Date of birth
-
- DD MM YYYY
9. Which of the following applies?
- I have a New Zealand residence class visa I am a citizen or permanent resident of Australia or Singapore
- What category of residence visa do you have?
- What is the residence visa start date?
- DD MM YYYY
10. Address in New Zealand
-
- You must have a New Zealand postal or street address where we can send correspondence and legal documents. This can be the address of an agent (someone who is advising you or acting on your behalf for this application), and can be the same address for all people signing this form.
11. Email
12. Phone number

Note: If more than two people will own the residence, reprint this sheet as often as you need to give us the details of these people.

Who should we contact to answer questions about your application?

Nominate one person we can talk with if we have questions about your application.

13. Name of person who can answer our questions
14. This person is (tick one box)
- Applicant Acting on behalf of the applicants

Please provide details if you want us to contact someone other than the people you have named as applicants.

15. Address in New Zealand
16. Email
17. Phone number

Tell us about the home you wish to buy or build

You can apply for consent even if you have not found a home to buy. If you are given consent you can buy one home to live in.

18. Have you already found a home or land to buy?

Yes

No

If no, go to question 23

19. Property or land address

20. Settlement date (if known)

21. Are you buying bare land to build a home on?

Yes

No

22. Record of Title

Do you already own property in New Zealand?

If you bought property in New Zealand before the new law came into force on 22 October 2018, you can keep it, but you must live in the home you are now applying to buy. If you bought property to live in New Zealand on or after 22 October 2018, you will have to sell that property before buying another home to live in.

Please provide details of all property owned in New Zealand for all people named in Section 1 as applying for consent. If you have more than one property, please print out extra copies of this page and fill in one for each property you own.

23. Address

24. When did you buy the property?

25. Record of title number (if known)

26. Previous Overseas Investment Office reference number (if relevant)

Tell us about your suitability to buy land that is also sensitive for other reasons

The following questions help us to determine your suitability to buy a home on residential land that is also sensitive for other reasons. You must answer for every person named on this application.

Note: Sensitive land includes residential land and some other types of land, for example rural land (including lifestyle blocks) larger than 5 hectares, and some coastal land. Sensitive land is described in Part 1 of schedule 1 of the Overseas Investment Act 2005 as explained here: www.linz.govt.nz/oio/sensitive

You need to fill in a different application form if you are buying residential land only. More information is available on our website: www.linz.govt.nz/oio

Your knowledge, experience and financial commitment to buy the land

27. Do you have sufficient knowledge and experience and financial commitment to buy the land? Yes No

Yes

No



Please attach evidence to show you collectively have sufficient knowledge, experience and financial commitment to buy the land. Acceptable evidence might include financial approval for a mortgage, evidence of previous home ownership, evidence that you have a professional advisor such as a lawyer, or evidence that you have incurred due diligence costs.



Your good character

28. Are all the people named in this application of good character? Yes No

Yes

No

29. Is there any information relating to the good character of a person named in this form that must be disclosed to us? Yes No

Yes

No



You must tell us anything that may impact the ability of all the people applying for consent to meet the requirements of being 'good character'. For example, if you, or an entity in which any of you had a 25% or more ownership or control interest, have committed an offence or broken the law you must tell us what happened and provide any supporting information such as court documents.



Your eligibility for a visa or to enter New Zealand

30. Is any person named in this application not eligible for a visa or to enter New Zealand under sections 15 and 16 of the Immigration Act 2009? Yes No

Yes

No

Note: People are not eligible for entry if they fall within the categories listed in sections 15 and 16 of the Immigration Act 2009. More information can be found here: <http://www.legislation.govt.nz/act/public/2009/0051/latest/DLM1440598.html>. Section 17 allows the Minister of Immigration to grant a person a 'special direction' to have a visa or enter New Zealand, even if they are disqualified under section 15 or 16.

31. Please provide the name of any person who is not eligible for a visa or to enter New Zealand under section 15 or 16, even if they have been given a special direction under section 17(1)(a) of the Immigration Act 2009.

Agree you are committed to living in New Zealand

To buy a home in New Zealand, you need to be committed to living here. You can only buy one home that you will live in as your main home.

Each of the people who will own the home must sign this agreement, which is a statutory declaration, in the presence of an authorised person. By doing so, you each agree to all of the following:

- you are committed to living in New Zealand; and
- you have read, understood, and accepted the privacy notice on the last page of this form; and
- all of the information in the application is true and correct.

This is a legal declaration and it is a crime to make a false declaration or provide misleading information.

Note: How to make sure your statutory declaration is valid

Each signature on the statutory declaration must be made in front of an authorised person. The authorised person will witness your signature and sign the form to confirm that your signature was made in front of them.

Authorised witnesses in New Zealand

An authorised person in New Zealand who can witness your signature includes a lawyer (including your own lawyer), a notary public, a Justice of the Peace, or a court registrar.

Authorised witnesses in other countries

In a Commonwealth country, an authorised person includes a notary public, Justice of the Peace, New Zealand lawyer, and anyone else who can take an oath in that country. You can also have your declaration witnessed at a Commonwealth Embassy or High Commission.

An authorised person in all other countries includes notaries public and New Zealand lawyers. You can also have your declaration witnessed at a Commonwealth Embassy or High Commission.

No one can sign for you

No one else can sign the statutory declaration for you. When you sign, you agree that everything in the application is true and correct, whether or not someone else filled out part of the form for you.

You can find out more about how to make a statutory declaration here: <https://www.govt.nz/browse/law-crime-and-justice/making-a-statutory-declaration>

Note: You may be required to sell the home if you no longer hold a residence class visa, and are not present in New Zealand for at least 183 days in every 12 month period, beginning on the date of consent or its anniversary every year.



Signatures of all applicants

Person 1

I <FULL NAME>, _____ <OCCUPATION> _____

of <PLACE OF RESIDENCE> _____ solemnly and sincerely declare that:

- I intend to be in New Zealand for at least 183 days in every 12-month period beginning on the date I am given consent and the anniversary of that date until I become a New Zealand citizen or ordinarily resident in New Zealand.
- I intend to become/I am a tax resident in New Zealand and I intend to remain a tax resident until I become a New Zealand citizen or ordinarily resident in New Zealand.
- I have disclosed all relevant information about my experience and commitment to buy the land, good character, and eligibility for an entry permission or visa.
- I have read, understood and accepted the privacy disclaimer, and
- All of the information in this application is true and correct.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Date

Signature

Declared at
(city and country)

Witness

Your witness must be a person authorised to take your statutory declaration. See the notes at the beginning of this section for who you can use.

Declared at
(Town or city)

Date

Before me
(Name of witness
and title)

Signature

Official stamp

Person 2

I <FULL NAME>, _____ <OCCUPATION> _____

of <PLACE OF RESIDENCE> _____ solemnly and sincerely declare that:

- I intend to be in New Zealand for at least 183 days in every 12-month period beginning on the date I am given consent and the anniversary of that date until I become a New Zealand citizen or ordinarily resident in New Zealand.
- I intend to become/I am a tax resident in New Zealand and I intend to remain a tax resident until I become a New Zealand citizen or ordinarily resident in New Zealand.
- I have disclosed all relevant information about my experience and commitment to buy the land, good character, and eligibility for an entry permission or visa.
- I have read, understood and accepted the privacy disclaimer, and
- All of the information in this application is true and correct.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Date

Signature

Declared at
(city and country)

Witness

Your witness must be a person authorised to take your statutory declaration. See the notes at the beginning of this section for who you can use.

Declared at
(Town or city)

Date

Before me
(Name of witness
and title)

Signature

Official stamp

Note: If more than two people will own the home, reprint this sheet as often as you need. The witness will need to sign any separate sheets.

We collect information to decide whether you are eligible and to monitor

Land Information New Zealand collects information about you on this form to:

- decide whether you are eligible for Overseas Investment Office consent to invest in sensitive land in New Zealand
- monitor that conditions are met if we grant consent.

We are authorised to collect this information under the Overseas Investment Act 2005.

We can share your information for some purposes

We may share information about you as part of:

- administering, monitoring and enforcing the Overseas Investment Act 2005.
- meeting information-sharing agreements we have with some New Zealand government agencies. For example, we share information with the Ministry of Business, Innovation and Employment and the Department of Internal Affairs to verify passport and visa information and travel movements, and to monitor whether a person has become a New Zealand citizen.
- sharing information to maintain the law, such as volunteering information to Inland Revenue; NZ Police; the Ministry of Business, Innovation and Employment; the Serious Fraud Office and other law enforcement agencies.

Applications for consent that you submit to the Overseas Investment Office are a public record. However, the Official Information Act 1982 and the Privacy Act 1993 have provisions that allow us to withhold information contained in an application. More information about the privacy and confidentiality of the information contained in an application can be found at <https://www.linz.govt.nz/overseas-investment/applying-for-consent-purchase-new-zealand-assets/preparing-your-application-oio/privacy-and-confidentiality-application-information>

We keep your information secure

All relevant information about you is collected in line with the Overseas Investment Act 2005 and Privacy Act 1993 and is held securely by Land Information New Zealand. Under the Privacy Act 1993, you may see this personal information and ask for any errors to be corrected.

You do not have to provide all the information requested in this form, but not doing so may make it difficult to process your request under the Overseas Investment Act 2005. Please contact oio@linz.govt.nz if you have any questions or concerns about the information in this form.