

# CERTIFICATE FOR THE PURPOSES OF SCHEDULE ONE OF THE OVERSEAS INVESTMENT ACT 2005

I, <INSERT FULL NAME>, [LINZ Accredited Crown Property Supplier/Solicitor and Principal of <LAW FIRM>/an officer of <TERRITORIAL AUTHORITY>] certify that:

## PART A

1. The land<sup>1</sup> the subject of this certificate is:

|                        | RT Number | Legal Description | Land District | Non-Urban Land? | District Plan Zoning | Area |
|------------------------|-----------|-------------------|---------------|-----------------|----------------------|------|
| (a)                    |           |                   |               |                 |                      |      |
| (b)                    |           |                   |               |                 |                      |      |
| (c)                    |           |                   |               |                 |                      |      |
| (d)                    |           |                   |               |                 |                      |      |
| <b>TOTAL LAND AREA</b> |           |                   |               |                 |                      |      |

<sup>1</sup> The term “land” in this certificate includes any associated land, if any. The Overseas Investment Office does not require this certificate to address land unless it is *relevant land* (as defined in the Overseas Investment Act 2005).

## PART B

|   | YES                      | NO                       | REF <sup>2</sup> |
|---|--------------------------|--------------------------|------------------|
| 2. The land the subject of this certificate is or includes:   |                          |                          |                  |
| (a) non-urban land larger than 5 hectares   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (b) residential land <sup>3</sup>   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (c) land greater than 0.4 hectares on islands specified in Part 2 of Schedule 1   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (d) land on other islands (other than North or South Island, but including the islands adjacent to the North or South Island)   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (e) foreshore or seabed <sup>4</sup>  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (f) land larger than 0.4 hectares being the bed of a lake   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (g) land larger than 0.4 hectares held for conservation purposes under the Conservation Act 1987  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (h) land larger than 0.4 hectares that a district plan or proposed district plan under the Resource Management Act 1991 provides is to be used as a reserve, as a public park, for recreation purposes, or as open space                      | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (i) land larger than 0.4 hectares subject to a heritage order, or a requirement for a heritage order, under the Resource Management Act 1991 or by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014 | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (j) a historic place, historic area, wahi tapu, or wahi tapu area larger than 0.4 hectares that is registered or for which there is an application or proposal for registration under the Heritage New Zealand Pouhere Taonga Act 2014        | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (k) land larger than 0.4 hectares that is set apart as Māori reservation and that is wahi tapu under section 338 of Te Ture Whenua Maori Act 1993   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |

<sup>2</sup> REF – include reference in the Record of Title and Legal Description and comments section in Part C

<sup>3</sup> On and from 22 October 2018 as inserted by the Overseas Investment Amendment Act 2018.

<sup>4</sup> The terms “bed”, “foreshore or seabed”, “lake”, “non-urban area”, “residential land”, and “river” are defined in the Overseas Investment Act 2005.

|  | YES                      | NO                       | REF <sup>2</sup> |
|--|--------------------------|--------------------------|------------------|
| 3. The land the subject of this certificate is greater than 0.2 hectares and adjoins:  |                          |                          |                  |
| (a) foreshore  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| 4. The land the subject of this certificate is greater than 0.4 hectares and adjoins:  |                          |                          |                  |
| (a) bed of a lake  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (b) land held for conservation purposes under the Conservation Act 1987 (if that conservation land exceeds 0.4 hectares in area)   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (c) any scientific, scenic, historic, or nature reserve under the Reserves Act 1977 that is administered by the Department of Conservation and that exceeds 0.4 hectares in area   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (d) any regional park created under the Local Government Act 1974  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (e) land that is listed, or in a class listed, as a reserve, a public park, or other sensitive area by the regulator under section 37  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (f) land that adjoins the sea or a lake and exceeds 0.4 hectares and is 1 of the following types of land:  |                          |                          |                  |
| • an esplanade reserve or esplanade strip (within the meaning of section 2(1) of the Resource Management Act 1991); or   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| • a recreation reserve under the Reserves Act 1977; or   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| • a road (as defined in section 315(1) of the Local Government Act 1974); or   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| • a Māori reservation to which section 340 of Te Ture Whenua Maori Act 1993 applies  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (g) land over 0.4 hectares that is subject to a heritage order, or a requirement for a heritage order, under the Resource Management Act 1991 or by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014     | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (h) land over 0.4 hectares that includes a historic place, historic area, wahi tapu, or wahi tapu area that is registered or for which there is an application or proposal for registration under the Heritage New Zealand Pouhere Taonga Act 2014 | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (i) land over 0.4 hectares that is set apart as Māori reservation and that is wahi tapu under section 338 of Te Ture Whenua Māori Act 1993. <sup>5</sup>   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |

<sup>5</sup> On and from 22 October 2018 as inserted by the Overseas Investment Amendment Act 2018.

## PART C

5. The items marked 'yes' above are:

|   |  | Relevant Land | Adjoining Land (if relevant) |
|---|--|---------------|------------------------------|
| 6 | Record of Title and Legal Description: |               |                              |
|   | Comments:                              |               |                              |
|   | Record of Title and Legal Description: |               |                              |
|   | Comments:                              |               |                              |

### Comments:

Comments should include

- the size of the relevant land,
- the name of any relevant island, lake or river, and its size
- the name of any parks,
- the detail of heritage orders,
- the nature of any historic or wahi tapu site, etc.
- other investigations undertaken

**If the relevant land includes 'Special Land' continue to PART D**

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<sup>6</sup> Include reference from Part A and B

## PART D – Special Land

6. The land the subject of this certificate is or includes:

|  | YES                      | NO                       | REF <sup>7</sup> |
|--|--------------------------|--------------------------|------------------|
| (a) foreshore  | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (b) seabed   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (c) bed of a river ( <i>ad medium filum aquae</i> <sup>8</sup> ) | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (d) bed of a river (interior <sup>9</sup> )                      | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (e) bed of a lake ( <i>ad medium filum aquae</i> )               | <input type="checkbox"/> | <input type="checkbox"/> | ___              |
| (f) bed of a lake within title                                   | <input type="checkbox"/> | <input type="checkbox"/> | ___              |

7. The items marked 'yes' above are:

|    |  | Relevant Land |
|----|--|---------------|
| 10 | Record of title and Legal Description: |               |
|    | Comments:                              |               |
|    | Record of Title and Legal Description: |               |
|    | Comments:                              |               |

<sup>7</sup> REF – include reference in the Record of Title and Legal Description and comments section in Part D

<sup>8</sup> *ad medium filum aquae* being the legal presumption that the owner of relevant land with a moveable boundary that bounds a non-tidal waterway is deemed to own out to the middle line of the waterway bed

<sup>9</sup> for these purposes, interior describes a river (or lake) that does not create a moveable boundary of a title or lot because when it is interior to the relevant land all of its width (or extent) is within the relevant land or the lots within the relevant land

<sup>10</sup> Include reference from Part D

Comments:

Comments should include

- the name of any relevant lake or river, and its width;
- stating if the lake or river is interior or ad medium filum aquae;
- stating if the river is navigable or tidal;
- stating the course of the relevant river – the direction it is flowing and the connections to any larger waterbodies;
- advice about why any other specific waterbodies included in the relevant land are not special land, and why.
- other investigations undertaken.

Maps

Attach maps that should include:

1. Aerial photos showing the relevant land and indicating where the special land is located, and where any other waterbodies that are not special land are located.
2. Landonline spatial search diagram showing legal descriptions of the relevant land.
3. Landonline spatial search diagram showing owners of immediately neighbouring land to the special land.
4. Any SO, ML, DP or Deeds Plan showing legal description of relevant land and areas of special land.
5. Any other maps of interest.

Dated at                    this        day of                    20\_\_

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<NAME>