An application for consent under the Overseas Investment Act 2005 must include a statutory declaration verifying that the information contained in the application for consent is true and correct. This must be uploaded at the time the online application is submitted, unless the Overseas Investment Office waives this requirement.[[1]](#footnote-1) The following is a suggested template that an applicant can use as a guide.

A new or updated statutory declaration may be required if there is any material change in the information included in the application and the appendices.

**Making a Statutory Declaration**

A statutory declaration is a written statement declaring something to be true in the presence of an authorised witness[[2]](#footnote-2). It is an offence to give any altered, false, incomplete, or misleading information or to make a false statement or declaration.

**Who should sign this form**

The statutory declaration must be made by each applicant or, if an applicant is a body corporate, by an officer of that applicant.[[3]](#footnote-3)

**Statutory Declaration Verifying That the Content of the Application is True and Correct**

I, [Name], of [place of abode and occupation], solemnly and sincerely declare that:

EITHER

1. I am applying for consent under the Overseas Investment Act 2005.

OR

1. I am a [director/controller/officer] of [entity], which is applying for consent under the Overseas Investment Act 2005. I have full authority to make this declaration on [entity]’s behalf.
2. I have read the application including all the appendices submitted to the Overseas Investment Office.
3. The information contained in the application and the appendices is true and correct.
4. I understand that if I make any false or misleading statements, or make any material omission, I may be committing an offence and be liable to prosecution.

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

|  |
| --- |
| Declared at [place] on [date] |
|  |  | Signature of the declarant |
| Before me  |
|  |  |  |
|  |  | Witness signature |
|  |  |  |
|  |  | Witness name |
|  |  |  |
|  |  | Witness qualification |
|  |  | A person authorised to take statutory declarations by the Oaths and Declarations Act 1957 |

1. Section 23(1)(d), Overseas Investment Act 2005. [↑](#footnote-ref-1)
2. Sections 9, 10 and 11, Oaths and Declarations Act 1957. See also the [Minister of Justice guidance](https://www.justice.govt.nz/about/news-and-media/covid-19-news/oaths-affirmations-or-declarations) on how to administer remote statutory declarations under the [Epidemic Preparedness (Oaths and Declarations Act 1957) Immediate Modification Order 2020](http://www.legislation.govt.nz/regulation/public/2020/0063/latest/LMS337268.html?search=ts_act%40bill%40regulation%40deemedreg_epidemic_resel_25_a&p=1). [↑](#footnote-ref-2)
3. Section 23(2), Overseas Investment Act 2005. [↑](#footnote-ref-3)