Residential Land Statement

Section 51A of the Overseas Investment Act 2005 (the Act)

Toitū Te Whenua
Land Information
New Zealand

- This form must be completed for any purchase of "residential land" (defined as land with a property category of residential or lifestyle in the relevant district valuation roll).
- A separate statement is required for each individual.
- One statement may be provided on behalf of a company, trust or other entity provided the person making the statement has the required knowledge and is authorised to do so.
- The person making the statement must be the person who signs the statement.
- **Providing a false, incomplete or misleading statement is an offence under the Act, carrying a maximum penalty of $500,000.**

Part A Identity

Tick the relevant boxes then follow the corresponding instructions.

1. I am an individual completing the statement for myself, and I am purchasing the land in my own name

◯ **Yes** – complete the following details and then go to Part B

Full name:	[Family name]	[Given names]
Date of birth:	dd/mm/yyyy	

◯ **No** – go to Q2

2. I am completing the statement for an entity[1] OR for someone else under an enduring power of attorney OR on behalf of trustees of a trust

◯ **Yes** – complete the following details and then go to Part C

Full name:	[Family name]	[Given names]

◯ **No** – go to Part B

Part B Buying as an Individual

Select **only** the statement that applies to your circumstances, if more than one statement applies, select the **first** statement that applies. **Once you have completed this Part, continue to Part D.**

3. I am eligible to buy residential land in New Zealand because the following statement applies to me:

◯ **I am a New Zealand citizen**

→ Part B continues on next page

1. An entity is an organised group and includes a body corporate, company, partnership, or other entity such as a New Zealand government department, ministry, Crown Entity, foreign government, regional council, territorial authority or unitary authority under the Local Government Act 2002.

Te Kāwanatanga o Aotearoa
New Zealand Government

☐ **I am "ordinarily resident in New Zealand" under section 6(2)(a) of the Act. I meet all of the following criteria (tick to confirm all apply)**

☐ I hold a New Zealand Residence Class Visa **OR** I am an Australian permanent resident **OR** I am a Singaporean permanent resident

→ What is your visa approval number?

☐ I have been residing in New Zealand for **at least** the immediately preceding 12 months[2]

☐ I am "tax resident in New Zealand" because I have been present in New Zealand for **at least** 184 days in the immediately preceding 12 months[3]

NB: If you do not meet all three of the above requirements then you are not "ordinarily resident in New Zealand" and you should not select this statement.

☐ **I am an Australian citizen or a Singaporean citizen buying "residential only land"**

"residential only land" means land that is or includes residential land, but is not otherwise sensitive under Part 1 of Schedule 1 of the Act. See Buying residential property to live in | Overseas investment Guidance[4] and Identifying sensitive land | Overseas investment Guidance[5] for further information about how the Act defines "residential land" and "sensitive land".

☐ **None of the above apply, I am an overseas person[6] and I:**

☐ Have Overseas Investment Act consent from LINZ **or**

☐ An exemption applies, either under the Act, **or** the Overseas Investment Regulations 2005 (Regulations), **or** has been granted by LINZ.

→ What is your consent number, exemption number, or the legislative provision that you are relying upon?

If none of the above apply to you, you are not eligible to buy residential land in New Zealand. Discuss with your conveyancer and/or contact LINZ.

Part C Buying as an entity or signing under power of attorney or on behalf of trustees of a trust

Complete this section if you are completing the statement on behalf of an entity, for an individual or an entity under a power of attorney or delegation, or on behalf of trustees of a trust.

4. If you are acting on behalf of an entity, what is the name of the entity?

5. What is the registration number of the entity (if it has one)?

Part C continues on next page

2. For the purposes of this document, "immediately preceding" means counting back from the date on which the agreement for sale and purchase was signed by the purchaser. If you have previously lived in New Zealand then spent time residing overseas again, this may affect when you are treated as having started to reside in New Zealand for these purposes. We recommend discussing this with your conveyancer.
3. For the purposes of this document, part-days can be counted as a "day" spent in New Zealand. You can request/obtain your days in New Zealand information from Immigration New Zealand.
4. https://www.linz.govt.nz/guidance/overseas-investment/buying-residential-property-live
5. https://www.linz.govt.nz/guidance/overseas-investment/ways-invest/investing-land-provide-benefit-new-zealand/identifying-sensitive-land
6. For the definition of "overseas person" see the LINZ website (www.linz.govt.nz/guidance/overseas-investment) or discuss with your conveyancer.

6. Are you acting for a trust or company under a delegated authority or Deed of Delegation or acting for someone else under a power of attorney?

- ◯ **Yes** – attach a certificate of non-revocation and go to Q7
- ◯ **No** – go to Q7

7. Is the entity an "overseas person" as defined in section 7 of the Act?

- ◯ **Yes** – go to Q8
- ◯ **No** – go to Part D

8. Are you or the entity eligible to buy the land because you have Overseas Investment Act consent or because an exemption under the Act or the Regulations applies or has been granted by LINZ?

- ◯ **Yes** – provide the consent number, exemption number or legislative provision that you rely on, and go to Part D:

- ◯ **No** – see the guidance below.

If the entity requires consent or an exemption and has not already applied, discuss with your conveyancer and/or contact LINZ.

Part D Buying on behalf of someone else

If you/the entity are acquiring an interest in residential land on behalf of an overseas person, both you/the entity (the "associate") **and** the overseas person will need to obtain consent and make separate statements. The associate provisions are set out in section 8 of the Act. See also the LINZ website (www.linz.govt.nz/guidance/overseas-investment) or discuss with your conveyancer.

9. Are you or the entity acquiring an interest in the residential land on behalf of / as an "associate" of an overseas person?

- ◯ **Yes** – provide the name of the overseas person, and go to Part E

Full name: [Family name] [Given names]

- ◯ **No** – go to Part E

Part E Name of new owner

10. What are the full name(s) of all individuals or entities/non-individuals that will appear on the Record of Title as the new owner(s)?

Part F The residential land being acquired

11. What is the Record of Title reference for the residential land being acquired?

If more than one Record of Title is being acquired as part of this transaction, for example because the home sits across two pieces of land, please list all of the titles being acquired.

Part G Signature

◯ **I confirm that all of the information in this statement is true and correct:**

Signature:

Date: dd/mm/yyyy

Position/Office held (if signing as an authorised person):