

Farm land offer exemption

Read this exemption carefully - you must comply with all the conditions.

Decision date	6 August 2026
Case	202600468
Exemption	The Exemption Holder is exempt from the requirement in regulation 8(b) that farm land be advertised by an advertisement of usual prominence placed in the property section of 1 edition of a newspaper generally available to persons in the district in which the relevant land is located in respect of any application for consent under the Act for a Qualifying Transaction decided on or before 12 months from the Decision date (and subject to the Conditions set out below).
Exemption Holder(s)	Alpha Ally One Limited (Company number 8280885) QAP Northburn Asset Holding Limited (Company number 9441993) We will also refer to each Exemption Holder and the Exemption Holders together as you .
Land	A freehold interest in approximately 8,342 hectares of land contained in Records of title 868789, 350275, 350276, 672060, 350280, 350281, 350282, 350283, 1251285 and 1251286 Otago Registry (the Freehold Land) and a leasehold interest in approximately 2,242.597 hectares of land contained in Record of title OT19C/232, Otago Registry (the Leasehold Land).
Qualifying Transaction	Means the acquisition of interests in the Freehold Land and the Leasehold Land by the Exemption Holder.
LINZ	Toitū te Whenua Land Information New Zealand

Conditions

The Exemption is subject to the conditions set out below which must be complied with. The Overseas Investment Act 2005 (**Act**) provides for civil and criminal sanctions for breaching the Act, failing to comply with conditions of exemption and failing to provide information required by LINZ. LINZ has an obligation to investigate and act upon alleged and suspected breaches of the Act.

If requested in writing by LINZ, the Exemption holder must provide a written report within 20 working days (or such other timeframe as specified) on any matter relating to its compliance with:

- (a) the representations and plans made or submitted in support of the application for the Exemption; or
- (b) the conditions of the Exemption

Reasons for exemption

For the avoidance of doubt, this Exemption does not constitute consent under the Act for the Qualifying Transaction, and the Exemption Holder must make a separate application for consent. The purpose of the requirement to advertise farm land is to give New Zealanders an opportunity to acquire farm land on the open market.

An exemption from this requirement may be granted if the decision maker considers that the overseas investment need not meet this requirement by reason of the circumstances relating to the particular overseas investment or section 12 interest or the nature of the land to which the section 12 interest relates.

An exemption may only be granted if there are circumstances that mean that it is necessary, appropriate, or desirable to provide an exemption, and the extent of the exemption is not broader than is reasonably necessary to address those circumstances.

The Exemption holder seeks an exemption from the requirement in regulation 8(b) that the Land be advertised in a newspaper in an advertisement of usual prominence in the property section of 1 edition that is generally available to persons in the district in which the relevant land is located (the **Exemption**).

The extent of the internet advertising of the Land by the vendor significantly exceeds what was required by Regulation 8(b) of the Overseas Investment Regulations 2005. Furthermore, the Land was advertised for over 12 months, and this exceeds the requirement of 30 working days. Consequently, the purpose of Regulation 8(b) had been substantially satisfied. In these circumstances, LINZ considers the defect in advertising to be technical in nature.

LINZ consider that the Exemption is appropriate and desirable because:

- The extent of the internet advertising significantly exceeded what was required by the regulations.
- The Land was advertised for an extended period (over 12 months) over a number of internet sites. Altogether there were over 25,000 views and 19 enquiries. Interested parties were presented with a 15-page information memorandum.
- The vendors have undertaken marketing of the Land that is appropriate to the nature and scale of the Land. LINZ are satisfied that potential New Zealand purchasers with the means to acquire the Land were likely adequately informed that the Land was available for purchase.
- The real estate company involved in the marketing of the Land does not issue a print copy of its real estate publication (other than on request).²
- The exemption that is being applied for is an exemption for advertising in print (newspaper) form only and is technical in nature.

LINZ consider that the extent of the Exemption is not broader than is reasonably necessary as it as it relates solely to the print advertising requirement, and expires after 12 months.

² Which would have otherwise satisfied the minimum requirements in regulation 8(b) (a publication in a real estate sales publication)