



Commitment to Reside (Individuals – residential only)

# Application for consent to buy a home in New Zealand to live in (Residential land only)

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

- you wish to buy or build a home in New Zealand on residential land
- you have a New Zealand residence class visa, or are a 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](http://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](http://www.lin.govt.nz/oio/sensitive)

You need to fill in a different application form if you wish to buy land that is residential and sensitive for another reason. More information is available on our website [www.lin.govt.nz/oio](http://www.lin.govt.nz/oio)

It is an offence to buy land that is sensitive for another reason without the right consent and you may be fined or receive a penalty. 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 permanent resident of Australia or Singapore.

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

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](mailto:oio@lin.govt.nz)

## 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 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 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, and it must be on land that is residential land only and not sensitive for any other reason.

**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](http://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.linz.govt.nz/oio/sensitive](http://www.linz.govt.nz/oio/sensitive)

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It is an offence to buy land that is sensitive for another reason without the right consent and you may be fined or receive a penalty. You should seek legal advice if you are in any doubt about the type of land you wish to buy.

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. Certificate of Title number (if known)

### 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)

## 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 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 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.

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(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](mailto:oio@linz.govt.nz) if you have any questions or concerns about the information in this form.