Application for Consent
to Acquire Sensitive New Zealand Assets

Application for Consent under the Intention to Reside pathway

Use this template for all applications for consent under the intention to reside pathway.

It is important that you provide us with accurate and complete information. It is an offence to make a false or misleading statement or material omission in any information or document provided to the Overseas Investment Office (OIO).

The OIO may use relevant legislation to share details of this application with other agencies to the extent permitted by law and as required to complete the application process.

Instructions:

* Please do not remove the instruction text from this template.
* **Use the latest version of this template. Download this template from our website before each use**.
* Ensure that your application is complete before submitting it to the OIO (we will not commence our process until we have received all of your documents).
* Follow the guidance in each section. Provide all required information.
* Be concise and use plain English. Use headings and tables (if relevant) and explain industry terminology.
* Documents in a foreign language must be accompanied by full certified translations (unless otherwise agreed with the OIO in advance).
* This is a living document and must be updated during the assessment process if further information is provided. Updated versions of this document must be recorded in the table below and with [tracked changes](https://support.office.com/en-us/article/Track-changes-in-Word-197ba630-0f5f-4a8e-9a77-3712475e806a#ID0EAABAAA=2016,_2013) so the OIO can easily identify those updates.
* Contact the OIO if you have any questions about this template or your application generally (+64 4 462 4490, oio@linz.govt.nz).
* **You must upload and submit the completed application form using our** [**Application Submission Webform.**](https://www.oio.linz.govt.nz/oio-application-submissions)

Electronic Filing Requirements

Your application and supporting information must be submitted electronically using our [Application Submission Webform](https://www.oio.linz.govt.nz/oio-application-submissions). The Webform is a secure upload site and provides details of our electronic filing requirements.

Please do not provide hard copy versions of your documents.

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| --- |
| Checklist |
| 1. | Electronic copy of your signed application (without appendices) |[ ]
| 2. | Electronic copy of each appendix to your application (number and describe each appendix as follows: ‘Appendix 01 – X’) |[ ]
| 3. | All PDF documents are:‘Printed to PDF’, or scanned and OCR’d (i.e., all text in the document can be copied)Free from security restrictionsIn colour (if the document contains colour)If scanned, at 300 dpi (where possible) |[ ]

Version control

Record the details of each version of the application below.

|  |  |
| --- | --- |
| Applicant Name | Click or tap here to enter text. |
| Version | Date | Description |
| e.g., 1.0 | e.g., 01/01/20 | e.g., First version submitted to OIO |
| [Add] | [Add] | Click or tap here to enter text. |
| [Add] | [Add] | Click or tap here to enter text. |

Applicant signature – Version 1.0

Only version 1.0 and the final version of the application must be signed.
Sign version 1.0 of the application below.

|  |
| --- |
| Version 1.0 |
| [Sign here] | Date [e.g., 01/01/20] |
| [Name] | [Position] | [Date] |

Applicant signature – Final version

|  |
| --- |
| Do not sign the final version of the application below until the OIO requests you to. |
| [Sign here] | Date [e.g., 01/01/20] |
| [Name] | [Position] | [Date] |

Section 1: Intention to Reside in New Zealand

The purpose of this section is to address the matters relevant to demonstrating whether ROP/IWC individuals intend to reside in New Zealand indefinitely. This involves an assessment as to whether the relevant individuals hold an appropriate visa and will move to New Zealand and become ordinarily resident here within an acceptable timeframe. The Directive Letter sets the general expectation that the relevant individuals will move to New Zealand within 12 months, and become ordinarily resident within 2 years, from the date of consent.

Note – the OIO will impose conditions requiring that you become a non-overseas person by a specific date. Do not make an ‘intention to reside in New Zealand’ application if you do not have definite plans to live in New Zealand. Contact the OIO before submitting your application if your plans do not align with the expectations set in the Directive Letter.

Visas

Do all the ROP/IWC individuals hold a residence class visa or an entrepreneur visa?

* Refer to the Directive Letter (you can find a copy [here](https://www.linz.govt.nz/overseas-investment/discover/what-we-do/legislation-ministers-delegated-powers))

Required content:

Confirmation that each relevant individual holds a relevant visa including details of the type of visa and when it was granted (e.g., Investor Visa – Investor 2 Category). Note that having a visa application approved in principle by Immigration New Zealand does not mean that you have a visa.

Required attachment to be uploaded:

* A copy of the relevant visa.
1. Response

Click or tap here to enter text.

Intention to reside

Have the ROP/IWC individuals taken actions consistent with an intention to reside in NZ within 12 months (i.e. describe actions taken)?

* Refer to the Directive Letter (you can find a copy [here](https://www.linz.govt.nz/overseas-investment/discover/what-we-do/legislation-ministers-delegated-powers))

Required content:

Describe actions taken that evidence your intention to reside in New Zealand within 12 months (e.g., booked flights, selling property/assets in your home country, moving personal possessions, transferring superannuation, making long term investments in New Zealand (e.g., establishing a business), obtaining a new job in New Zealand, becoming a tax resident in New Zealand, enrolling children in local schools).

Required attachment to be uploaded:

Documentation evidencing the actions taken

1. Response

Click or tap here to enter text.

Do the ROP/IWC individuals have other intentions for future actions consistent with an intention to reside in New Zealand within 12 months (i.e. describe actions planned)?

* Refer to the Directive Letter (you can find a copy [here](https://www.linz.govt.nz/overseas-investment/discover/what-we-do/legislation-ministers-delegated-powers))

Required content:

Describe actions taken that evidence your intention to reside in New Zealand within 12 months (such as the examples provided above).

Required attachment to be uploaded:

Documentation evidencing the actions planned (to the extent available).

1. Response

Click or tap here to enter text.

Becoming ordinarily resident in New Zealand

Will all the ROP/IWC individuals become ordinarily resident in New Zealand (and therefore non-overseas persons) within 2 years?

* Refer to the Directive Letter (you can find a copy [here](https://www.linz.govt.nz/overseas-investment/discover/what-we-do/legislation-ministers-delegated-powers))

Required content:

* The date by which all ROP/IWC individuals will become ordinarily resident in New Zealand and become non-overseas persons.
* If any ROP/IWC individual holds an entrepreneur visa, then identify when they will be eligible to apply for a residence class visa. The Directive Letter acknowledges that entrepreneur visa holders may require more than 2 years to become ordinarily resident in New Zealand.

Note – Applicants who hold an entrepreneur visa and cannot become ordinarily resident in New Zealand within 2 years should contact the OIO before making an application.

1. Response

Click or tap here to enter text.

Section 2: Farm Land

Use this section to address criteria relating to farm land advertising.

Farm land

Is the relevant land farm land (refer section 6 and OIO [guidance](http://www.linz.govt.nz/node/11577))?

Required content:

Provide reason(s) why the relevant land is or is not farm land.

1. Response

Click or tap here to enter text.

Farm land advertising

If yes, has the farm land or interests in farm land been offered for acquisition on the open market to persons who are not overseas persons in accordance with the procedure set out in regulations (refer section 16(1)(f), regs 4-11 and OIO [guidance](http://www.linz.govt.nz/node/11577))?

Required content:

Provide the following:

* Describe the advertising undertaken, clearly identifying the date the farm land was first advertised and when the advertising period ended, dates of any subsequent advertisements and the mediums published in.
* Explain how the advertising meets the requirements in the Regulations.
* Provide evidence of the advertising undertaken.
* Explain how the advertising occurred before any transaction was entered into (e.g., entering into the agreement for sale and purchase).
* If you have applied for a farm land advertising exemption under section 20(1)(a), please confirm this below and provide the required details in the relevant section of the online Consent form.

Note - the advertising period of 30 working days (as set out in regulation 9) is calculated with the date of the advertisement equalling day ‘0’.

Required attachments to be uploaded:

A copy of, and links to, the advertisements as published, including newspaper or real estate listing. All mediums of advertising must show the listing date and include any price reductions over the course of the advertising.

1. Response

Click or tap here to enter text.