

# Information required for standalone investor approval application

This document sets out the information and documents required to complete the standalone investor approval online application form.

## Information required

You will be required to provide the following information to the Overseas Investment Office (OIO) for this application:

### Application

- Whether you have attended a pre-application meeting for your application – and the OIO case number if you have
- Whether it is a resubmitted application – and OIO case number if it is
- Application name (name of the entity, individual, or group of individuals applying for standalone investor approval)
- Applicant's address for service in New Zealand (NZ)
- Whether any of the entities or individuals are likely to be involved in an application for consent in the near future, and if so, when it's likely they will submit their application for consent
- Contact for application details - including contact person's name, email address, contact number and role in the application (with option to add a second contact person)
- Invoice details: Name, company, and postal address for invoice

### Applicant details and structure

- Detailed information about all individuals applying for standalone investor approval, including:
  - first, middle and last names in English
  - full legal name in non-English characters
  - other names (if any)
  - role
  - if a Director, all entities they are a Director of
  - passport number & expiry date
  - nationality
  - residing country
  - date of birth
  - NZ Inland Revenue number (if held)
  - whether they have ever applied for a visa to travel to NZ
  - whether they are ordinarily resident in New Zealand
- Detailed information about all entities applying for standalone investor approval, including:
  - full legal name of entity in English
  - full legal name of entity in non-English characters
  - other names (if any)
  - type of entity
  - business activity
  - jurisdiction (select from country list)
  - unique identifier
  - NZ Inland Revenue number (if held)

## Investor Test

12 Factors under [section 18A](#) of the Overseas Investment Act 2005

- If the answer is 'Yes' to any of the factor questions, then you will need to supply the following information for *each* individual or entity the factor applies to:
  - Name of the individual and/or entity the factor applies to
  - Short summary of the matter (<200 words)
  - Name of the court or regulatory body (if relevant)
  - Date of the decision of the court or regulatory body giving rise to the factor (if relevant)
  - Steps taken by the individual and/or entity since the decision to prevent the situation occurring again
  - Any further comment you wish to make (<200 words)
- [18A\(4\)\(a\)\(i\)](#) - Have any of the ROP or IWC, at any time, been convicted of an offence for which they have been sentenced to imprisonment for a term of 5 years or more, or for an indeterminate period capable of running for 5 years or more?
- [18A\(4\)\(a\)\(ii\)](#) - Have any of the ROP or IWC, at any time in the preceding 10 years, been convicted of an offence for which they have been sentenced to imprisonment for a term of 12 months or more, or for an indeterminate period capable of running for 12 months or more?
- [18A\(4\)\(a\)\(iii\)](#) - If the ROP is not an individual, has it, at any time in the preceding 10 years, been convicted of an offence for which it has been sentenced to pay a fine?
- [18A\(4\)\(a\)\(iv\)](#) - Have any of the ROP or IWC been ordered, in the preceding 10 years, by any court in New Zealand or any equivalent body overseas, to pay a civil pecuniary penalty in respect of a contravention of any enactment?
- [18A\(4\)\(a\)\(v\)](#) - At any time in the preceding 10 years, has a court imposed a penalty on any of the ROP or IWC for a contravention of this Act or the regulations?
- [18A\(4\)\(a\)\(vi\)](#) - Have any other proceedings begun against any of the ROP or IWC, and not been completed, for any offence, or contravention of an enactment, that carries a penalty corresponding to those listed in subparagraphs (i) to (v) above?
- [18A\(4\)\(a\)\(vii\)](#) - Have any of the ROP or IWC entered, in the preceding 10 years, into an enforceable undertaking or an equivalent agreement with any regulator in respect of any contravention or alleged contravention of any enactment?
- [18A\(4\)\(b\)](#) - Are any of the ROP or IWC an individual of a kind referred to in [section 16 of the Immigration Act 2009](#) (certain persons not eligible for visas or entry permission under that Act)?
- [18A\(4\)\(c\)](#) - Are any of the ROP or IWC a person prohibited from being a director or promoter of, or concerned in the management of, an incorporated or unincorporated body under the [Companies Act 1993](#), the [Financial Markets Conduct Act 2013](#), or the [Takeovers Act 1993](#)?
- [18A\(4\)\(d\)](#) - Are any of the ROP or IWC individuals a person subject to a management banning order under the [Financial Markets Conduct Act 2013](#) or the [Takeovers Act 1993](#), or subject to an order under [section 108](#) of the Credit Contracts and Consumer Finance Act 2003?
- [18A\(4\)\(e\)\(i\)](#) - Have any of the ROP or IWC become liable, in the preceding 10 years, to pay a penalty in respect of an abusive tax position under [section 141D of the Tax Administration Act 1994](#) or an equivalent enactment in another jurisdiction?
- [18A\(4\)\(e\)\(ii\)](#) - Have any of the individuals or entities listed in this application become liable, in the preceding 10 years, to pay a penalty in respect of evasion or a similar act under:
  - [section 141E of the Tax Administration Act 1994](#), or
  - an equivalent enactment in another jurisdiction?
- [18A\(4\)\(f\)](#) - At the date on which the application is made, do any of the ROP or IWC have outstanding unpaid tax of \$5 million or more due and payable in New Zealand, or an equivalent amount due and payable in another jurisdiction (where the amount is converted into New Zealand currency by applying the close of trading spot exchange rate on the date or dates on which the tax became due and payable)?

## Documents required

Upload the following documents in English

- Passports of all individuals, in colour (minimum quality for scanned documents is 300 dpi)
- CVs of all individuals in English – these should show a chronological list of all the places the individual has worked, the date range they worked there, and a brief description of their role
- Structure documents for each entity, including:
  - structure diagram(s) showing ultimate ownership
  - certificate(s) of incorporation
  - formation documents (e.g. trust deeds, constitutions)
  - descriptions of trust arrangements and all share classes on issue, including who owns them (where applicable)
- If an investor test factor has been triggered, any documents relating to the decision, such as judgment or notice
- Statutory declaration(s) for the investor test verifying that the relevant overseas persons or individuals with control of the overseas person are not unsuitable to own or control a sensitive New Zealand asset.
- Statutory declaration verifying that the information provided in the application is true and correct.