

# Application for consent to buy a home in New Zealand to live in

## Statutory Declaration

Complete this form if you are applying for a consent for individual(s) to buy a home in New Zealand to live in.

### *Agree you are committed to living in New Zealand*

To buy a home in New Zealand with consent, 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 witness. By doing so, you each agree to all of the following:

- you are committed to living in New Zealand in the home you buy as your main home by being in New Zealand for at least 183 days in every 12-month period beginning on the date you are given consent; and
- you will become a tax resident in New Zealand and remain a tax resident, and
- you have disclosed all relevant information about yourself for tests relevant to your application, and
- you have read, understood, and accepted the privacy disclaimer here: <https://www.lin.govt.nz/guidance/overseas-investment/apply-consent-variation-or-exemption/you-apply/privacy-confidentiality-and-sharing-information>; and
- all of the information in the application is true and correct.

If more than two people will own the home, reprint the page as often as you need and have the witness sign any separate sheets.

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), only the applicant needs to provide the statutory declaration.

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.

### *How to make sure your statutory declaration is valid*

Each signature on the statutory declaration must be made in front of an authorised witness. 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 witness in New Zealand who can witness your signature as set out in the Oaths and Declarations Act 1957 include any lawyer, notary public, Justice of the Peace, or court registrar.

### *Authorised witnesses in other countries*

In a Commonwealth country, an authorised witness as set out in the Oaths and Declarations Act 1957 include 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.

### *Further information*

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>.



**Contact us** [oio.lin.govt.nz/contact-us](https://oio.lin.govt.nz/contact-us)

**Website** [www.lin.govt.nz/oio](https://www.lin.govt.nz/oio)



# Agreement and Statutory Declaration

## Applicant

**I** (write your full name)

**of** (write the address where you live)

(write your occupation – e.g. teacher, engineer, unemployed)

**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 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 disclosed all relevant information about myself for tests relevant to this application.
- I have read, understood and accept the privacy disclaimer, and
- All of the information in this application is true and correct.

**I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.**

*Do not complete the following section until you are with the person witnessing your declaration.*

**Sign** your declaration in front of an authorised witness

DECLARANT SIGN HERE

**!** **WARNING** - This is a legal declaration and it is a crime to make a false declaration or provide misleading information.

**Declared at** (place – e.g. town or city)

**Date**

DD

MM

YYYY

**Before me** (name and title of authorised witness)

**Official stamp**

**Signature**