

Screening Residential Land: Who Can Purchase Residential Land

	Pathways to purchase a house to live in	Pathways to purchase residential land to develop
New Zealand Citizens Australian Citizens	Do not require consent to purchase residential land	
Permanent resident visas (PRVs) Australian permanent residents	Do not require consent if they meet the <u>12 months/183 days test</u> <i>(i.e. have been residing in NZ for the last 12 months and have been present in NZ for at least 183 days in the last 12 months)</i>	
Resident visas (RVs) PRVs that do not meet 12m/183d test	Can only purchase a house to live in if they obtain consent through the <u>commitment to reside in NZ test</u> <i>Under this test, holders of specified visa may be able to obtain consent to purchase one house for use as their home in New Zealand on the condition that they sell if they leave. Details will be set through regulations.</i>	Can purchase residential land for development (cannot live on the land) if they obtain consent through the <u>new builds test</u>* or the <u>benefits test</u>**
All other persons (including temporary visa holders)	Cannot purchase a house to live in	

* The new builds test requires the person to build additional houses, or build/extend a long-term accommodation facility. If building houses, these must be on-sold. If building/extending accommodation facility, this can be on-sold, leased, or operated directly by the overseas person.

** The benefits test is the current test under the Overseas Investment Act – to purchase the land the overseas person must demonstrate that the purchase would benefit NZ. Residential land must be used for a non-residential purpose, used for new builds (and then generally on-sold), or sold (e.g. surplus land not needed for the development)