

Part A: Investor Details

Name of Investor

Significant business assets being acquired

The consent application involves solely a change or changes in ownership occurring overseas which will not result in an overall change in majority ownership or control of the significant business assets being acquired.

Yes No

Note: if you answered 'Yes' then complete only parts B and F

Part B: Description of Activities

1. A short description of the investor's plan for the significant business assets over the 3-year period (starting when the investment will be given effect), including any details of significant capital expenditure likely to be made or required over that period.

2. Tax residence of:

- a. Investor
- b. Investor's holding company (if any)
- c. Ultimate holding company (if any)

Part C: Capital Structure for Investment

3. Likely level of equity funding for the investment as at the time the investment will be given effect.

Percentage of equity funding – %

4. Likely level of debt funding for the investment as at the time the investment will be given effect.

Percentage of debt funding – %

5. Whether the investment is likely to involve the use of a hybrid arrangement or entity covered by subpart FH of the Income Tax Act 2007.

Yes No

Part D: Transfer Pricing Arrangements

6. The likely nature and extent of any arrangements likely to be covered by the rules in sections GC 6 to GC 14 of the Income Tax Act 2007.

Are any such arrangements likely?

Yes No

Is the total value of such arrangements likely to exceed 20% of likely total annual expenditure?

Yes No

7. Any likely transfer pricing arrangements that are likely to involve a supply by a New Zealand tax resident to a non-New Zealand tax resident.

Yes No

8. Any likely transfer pricing arrangements that are likely to involve an acquisition by a New Zealand tax resident from a non-New Zealand tax resident.

Yes No

Part E: Other

9. Any relevant double taxation agreements.

10. Whether an application is likely to be made to the Commissioner of Inland Revenue for a ruling or advance pricing agreement in respect of any aspect of the investment.

Yes No

Part F: Confirmation

I declare that the information provided is accurate to the best of my knowledge.

Name of person providing this information

Position

Contact number

Email address

Signature

Date

DD	MM	YYYY

Guidance Notes

General

- This form must accompany a consent application made under the Overseas Investment Act 2005 in respect of significant business assets being acquired. It must be submitted as an attachment to the relevant webform through the Overseas Investment Office (OIO) website <https://www.linz.govt.nz/overseas-investment/apply/apply-for-consent-variation-or-exemption>
- Please complete **all** boxes, unless the consent application involves solely a change or changes in ownership occurring overseas which will not result in an overall change in majority ownership or control of the significant business assets being acquired. In this latter situation, please complete Parts A, B and F only.
- If a box is not completed then Inland Revenue will advise the Overseas Investment Office (OIO) that the required tax information has not been provided. The OIO will then make contact with you and advise which boxes are incomplete.
- Reasonable estimates (based on the likely position as at the date when the investment will be given effect) are acceptable.

Part A: Investor Details

The details supplied should be consistent with the application made to the OIO.

Part B: Description of Activities

Item 1: Please keep the description short and state clearly what is planned such as brief details of significant additional investment, expansion or divestment of assets, integration with other assets, or major restructuring.

Items 2b and 2c: These do not apply where there is a multiplicity of investors (often through a partnership structure) and, if so, please state "N/A – multiple investors" in both boxes.

Part C: Capital Structure for Investment

Items 3 and 4: The levels of funding should be broken down based on the overall consideration for the investment. For example, if the total consideration is funded by approximately equal parts of equity and debt, then state "50%" in both boxes.

Item 5: Please state either "Yes" or "No". A hybrid arrangement or entity could include any of the following: debentures, convertible notes, preference shares, repurchase agreements (commonly known as "repos"), limited partnerships, unit trusts, dual resident companies and unlimited liability companies. It is not expected that a special review be carried out to identify a likely imported mismatch arrangement. However, if a likely imported mismatch arrangement has already been identified then please state "Yes".

Part D: Transfer Pricing Arrangements

Item 6: The extent of transfer pricing arrangements are determined by taking the likely aggregate value of these arrangements and estimating if that total will exceed 20% of the likely total annual expenditure arising from the business involving the assets acquired. Likely types of transfer pricing arrangements include cross-border associated party transactions involving goods, raw materials, management and administration services, technical services, research and development, commissions, rents, royalties, licence fees, interest, guarantees and insurance. In aggregating amounts for types of transfer pricing arrangements, do not net off individual items (for example, sales and purchases).

Items 7 and 8: Please state either "Yes" or "No".

Part E: Other

Item 9: If there are likely to be any significant flows of funds to or from a particular overseas jurisdiction and that jurisdiction has a double taxation agreement with New Zealand then that will be considered a relevant double taxation agreement. More information on New Zealand's double taxation agreements can be found at www.ird.govt.nz/international-tax/double-tax-agreements.

Item 10: Please state "Yes" or "No".

Part F: Confirmation

Please complete these details in full. Note that the person providing the required tax information may be a duly authorised person of the investor.