

Statutory notice under section 26A of the
Foreign Acquisitions and Takeovers Act 1975
to acquire an interest in **non-residential real estate**

Form 3 – Notice under section 26A

(paragraph 4(3)(a))

General Directions

1. **Do not use this Notice for acquisitions of interests in Australian residential land.** Such acquisitions are to be notified on Form 4 (acquisitions by a natural person) or Form 5 (acquisitions by a company or trust).
2. All **other** proposed acquisitions of interests in Australian urban land requiring notification under section 26A of the *Foreign Acquisitions and Takeovers Act 1975* must be submitted on this Notice.
3. The person providing this Notice must attach to the Notice such documents in the person's possession or control relating to or evidencing the agreement or arrangement to which the Notice relates.
4. Please print neatly in BLOCK LETTERS. Where the space provided in this Notice is insufficient to insert the required particulars, provide the additional information in a separate attachment to this Notice.
5. If this Notice is provided by a natural person, it must be signed:
 - (a) if the person is not ordinarily resident in Australia — by that person or by his or her Australian agent; or
 - (b) in any other case — by the person furnishing the Notice.
6. If this Notice is provided by a corporation, it must be signed by a person authorised in writing by the corporation to sign the Notice for and on behalf of the corporation.

To the Treasurer

- (a) Notice is given under section 26A of the *Foreign Acquisitions and Takeovers Act 1975*, that
Insert name of natural person(s), corporation or trustee giving notice.

being the person(s) particulars in relation to whom are set out in Part I of this Notice, intends to enter into an agreement* by virtue of which he or she is to acquire an interest in

Insert name of property in which an interest is to be acquired

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being an interest in Australian urban land, the details of which are set out in Part II of this Notice.

- (b) The particulars specified in this Notice, being in accordance with the directions are, and the information provided in any accompanying documents is, to the best of my knowledge, information and belief, true and correct.

Signed by:

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To be signed by natural person(s) giving notice, or his or her Australian agent (if natural person not ordinarily resident in Australia); or person authorised in writing to sign this Notice on behalf of a corporation or trust estate.

Full name:

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**A person who enters into an agreement of the kind referred to in sub-section 26A(3) of the Act is considered to be a person who intends to enter into an agreement.*

Please Note: The information provided on this Notice may be shared with other government departments or agencies (for example, the Australian Federal Police, the Australian Taxation Office or the Department of Immigration and Citizenship) for the purpose of ensuring compliance with Commonwealth and/or State or Territory laws.

Part I: Particulars relating to a person(s) giving notice

Directions relating to Part 1

- 1. Division 1 of this Part is to be completed where the person(s) giving notice is a natural person.
- 2. Division 2 of this Part is to be completed where the person(s) giving notice is a corporation.
- 3. Division 3 of this Part is to be completed where the person(s) giving notice is a trustee.

Division 1: Particulars relating to a natural person(s) giving notice

Full name(s):			
Country where ordinarily resident and address in that Country:			
Address for service in Australia:			
State or Territory:		Postcode:	
Email:			
Telephone:	()	Facsimile No:	()
Particulars of Australian agent (if any):			
Full name:			
Address for service in Australia:			
State or Territory:		Postcode:	
Email:			
Telephone:	()	Facsimile No:	()

Division 2: Particulars relating to a corporation giving notice

Name of corporation:			
Place of incorporation:			
Address of Head Office:			
Address of registered Office in Australia:			
State or Territory:		Postcode:	
Address for service in Australia:			
State or Territory:		Postcode:	

Part 1 Division 2 continued on the next page

Email:

Telephone: Facsimile No:

Provide details of foreign person(s) holding a substantial interest in the corporation giving notice (if any):

Particulars of corporation's * agent (or principal officer) in Australia (if any):

* *Delete whichever is not applicable*

Full name:

Title of principal officer:

Address:

State or Territory: Postcode:

Email:

Telephone: Facsimile No:

Division 3: Particulars relating to trustee giving notice

Please attach a copy of trust deed to this Notice

Name of trust:

Name of trustee:

Address of trustee:

Address for service in Australia:

State or Territory: Postcode:

Email:

Telephone: Facsimile No:

Particulars of Australian Agent (if any):

Full name:

Address:

State or Territory: Postcode:

Email:

Telephone: Facsimile No:

Part II: Particulars relating to interest in Australian urban land

Directions relating to Part II

- 1 Division 1 should be completed by persons acquiring an interest in Australian urban land referred to in paragraph 12A(1)(a) or (c) of the Act.
- 2 Division 2 should be completed by persons proposing to acquire shares in a company that owns Australian urban land (see paragraph 12A(1)(b) of the Act).
- 3 Division 3 should be completed by persons proposing to enter into an arrangement involving the share of profits or income from the use of, or dealings in, Australian urban land (see paragraph 12A(1)(d) of the Act).
- 4 Division 4 should be completed by persons proposing to acquire shares in an Australian urban land corporation (see paragraph 12A(e) of the Act).
- 5 Division 5 should be completed by persons proposing to acquire an interest in an Australian urban land trust estate, or an interest in the shares of a corporation that is a trustee of an Australian urban land trust estate (see paragraph 12A(1)(f) or (g) of the Act).

Division 1: Particulars relating to acquisitions of freehold or leasehold Australian urban land

Postal address of land:

State or Territory:

Postcode:

Approximate dimensions of land:

Title reference(s):

Lot/Portion:

Section:

Plan:

Does the acquisition involve: (Please tick)

freehold:

leasehold:

a licence giving rights to occupy Australian land?

If leasehold or a licence is being acquired, indicate the term of the lease or licence:

years

and any provisions for extension:

Division 2: Particulars relating to proposed acquisition of shares in a company that owns Australian urban land

Name of company:

State or Territory where incorporated:

Address of registered office:

State or Territory:

Postcode:

Email:

Telephone:

Facsimile No:

Part II Division 1 details continued on the next page

Details of land owned by company:

Postal addresses			
State or Territory:		Postcode:	
Lot/Portion:		Section:	
		Plan:	
Title reference(s)			

Particulars of shares to be purchased:

Division 3: Particulars relating to proposed arrangement to share in profits or income from use of or dealings in Australian urban land

Particulars of proposed arrangement:

Description of the property to which the arrangement relates::

Postal addresses			
State or Territory:		Postcode:	
Lot/Portion:		Section:	
		Plan:	
Title reference(s)			

Division 4: Particulars relating to proposed purchase of shares in an Australian urban land corporation

Name of corporation:			
State or Territory where incorporated:			
Address of registered Office in Australia:			
State or Territory:		Postcode:	
Email:			
Telephone:	()	Facsimile No:	()

Part II Division 4 details are continued on the next page

Details of land owned by corporation:

Postal addresses

State or Territory:

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Postcode:

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Lot/Portion:

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Section:

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Plan:

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Title reference(s)

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Particulars of shares to be purchased:

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Division 5: Particulars relating to proposed acquisition of units in an Australian urban land trust estate or shares in a corporation that is the trustee of an Australian urban land estate

Please attach a copy of trust deed to this Notice

Name of trust:

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Name of trustee:

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Address of trustee:

State or Territory:

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Postcode:

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Email:

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Telephone:

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Facsimile No:

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Details of land owned by trust estate:

Postal addresses

State or Territory:

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Postcode:

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Lot/Portion:

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Section:

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Plan:

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Title reference(s)

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Particulars of shares to be purchased:
