

Appendix B

Legislation and regulations, media releases and policy statements and publications

Legislation and regulations, media releases and policy statements and publications

Legislation and regulations

Current

1. *Foreign Acquisitions and Takeovers Act 1975* (Act No. 92 of 1975 as amended: see Appendix D)
2. *Foreign Acquisitions and Takeovers Regulations 1989* (Statutory Rules No. 177 of 1989 as amended: see Appendix E)
3. *Foreign Acquisitions and Takeovers (Notices) Regulations* (Statutory Rules No. 226 of 1975 as amended: see Appendix E)

Historical

1. *Companies (Foreign Take-overs) Act 1973*, No. 199 of 1973 – **December 1973**.
2. *Companies (Foreign Take-overs) Act 1972*, No. 134 of 1972 – **November 1972**.

Media releases and policy statements

1. Statement by the Treasurer, The Hon Wayne Swan MP – Release of a set of principles to enhance the transparency of Australia’s foreign investment screening regime – **17 February 2008**.
2. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Proposal: Red Earth Holdings b.v. – Acquisition of an additional interest in PBL Media Holdings Pty Limited and the PBL Media Holdings Trust – **4 September 2007**.
3. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment: Canwest Global Communications Corp – Acquisition of interest in Ten Network Holdings Limited – **20 August 2007**.
4. Statement by the Treasurer, The Hon Peter Costello MP – Reappointment of Chairman of Foreign Investment Review Board [Mr John Phillips AO] – **18 April 2007**.
5. Joint statement by the Treasurer, The Hon Peter Costello MP, and the Deputy Prime Minister and Minister for Transport and Regional Services, The Hon Mark Vaile MP – Qantas Airways Ltd – **6 March 2007**.
6. Statement by the Treasurer, The Hon Peter Costello MP – Qantas Offer – **14 December 2006**.
7. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment: Brambles Industries Limited – **9 November 2006**.
8. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Proposal: Thales Australia Holdings Pty Limited – Acquisition of remaining 50 per cent interest in ADI Limited – **12 October 2006**.
9. Statement by the Treasurer, The Hon Peter Costello MP – Reappointment of member of Foreign Investment Review Board [Ms Lynn Wood] – **29 April 2005**.
10. Statement by the Treasurer, The Hon Peter Costello MP – BHP Billiton Group – No objections raised to the acquisition of WMC Resources Limited, subject to conditions – **4 April 2005**.
11. Statement by the Treasurer, The Hon Peter Costello MP – Xstrata Plc – No objections raised to the acquisition of WMC Resources Limited, subject to conditions – **11 February 2005**.
12. Statement by the Treasurer, The Hon Peter Costello MP – Village Roadshow Limited – seeking information from parties who have acquired shares in Village Roadshow Limited on behalf of a number of foreign investors, including interests held by Swiss nominee banks – **9 February 2004**.

Appendix B: Legislation and regulations, media releases and policy statements and publications

13. Statement by the Treasurer, The Hon Peter Costello MP – announcement of the re-appointment of The Hon Chris Miles as a member of the Foreign Investment Review Board – **9 June 2004**.
14. Statement by the Treasurer, The Hon Peter Costello MP – No objections raised to the proposal for The News Corporation Limited to relocate its place of incorporation to the United States – **29 June 2004**.
15. Statement by the Treasurer, The Hon Peter Costello MP – Xstrata Plc – No objections raised to the Acquisition of MIM Holdings Ltd – **28 May 2003**.
16. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Review Board: Re-appointment of Mr John Phillips, AM – **24 April 2002**.
17. Statement by the Treasurer, The Hon Peter Costello MP – No objections raised to Mitsui's Acquisition of Remaining Interest in Moura Mine – **12 April 2002**.
18. Statement by the Treasurer, The Hon Peter Costello MP – Singapore Telecommunications Limited – Acquisition of Cable & Wireless Optus Limited – **28 August 2001**.
19. Statement by the Treasurer, The Hon Peter Costello MP – Singapore Telecommunications Limited – Application for Foreign Investment Approval to Acquire Cable & Wireless Optus Limited – **22 August 2001**.
20. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Approval of Brambles Industries Limited – GKN Plc – **26 July 2001**.
21. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Approval of BHP Limited-Billiton Plc Merger – **4 June 2001**.
22. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Proposal – Shell Australia Investments Limited's Acquisition of Woodside Petroleum Limited – **23 April 2001**.
23. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Case: Acquisition by Air New Zealand Limited of the News Corporation's 50 per cent interest in Ansett Holdings Limited – **13 June 2000**.
24. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Review Board: Re-appointment of Ms Lynn Wood – **4 April 2000**.
25. Statement by the Assistant Treasurer, Senator The Hon Rod Kemp – Virgin receives Foreign Investment Approval – **7 December 1999**.
26. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Policy Changes – **3 September 1999**.

27. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Review Board: Appointment of The Hon Chris Miles – **8 June 1999**.
28. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Case: Tyndall Australia Ltd’s Portfolio Investment in John Fairfax Holdings Ltd – **4 August 1998**.
29. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Policy: Ownership structure for the Ten Group Ltd (TGL) – Canwest/TNQ Float Proposal – **6 March 1998**.
30. Statement by the Treasurer, The Hon Peter Costello MP – Foreign Investment Review Board: Appointment of Mr John Phillips AM as Chairman – **9 April 1997**.
31. Statement by the Treasurer, The Hon Peter Costello MP – Release of the Report of the Financial System Inquiry and Initial Government Response on Mergers Policy – **9 April 1997**.
32. Statement by the Assistant Treasurer, Senator The Hon Rod Kemp – Foreign Investment Policy: Forced Divestiture of Residential Real Estate involving Australian Trustee – **11 December 1996**.
33. Statement by the Treasurer, The Hon Peter Costello MP – Uranium Sector – **19 November 1996**.
34. Statement by the Treasurer, The Hon Peter Costello MP – Rationalisation of Notification Thresholds for Portfolio Investments in the Media Sector – **18 September 1996**.
35. Statement by the Treasurer, The Hon Ralph Willis MP – Government Response to the Reports by the Senate Select Committee on Certain Aspects of Foreign Ownership Decisions in Relation to the Print Media – **26 September 1995**.
36. Statement by the Treasurer, The Hon Ralph Willis MP – Foreign Investment Review Board: Appointment of Ms Lynn Wood – **4 April 1995**.
37. Statement by the Treasurer, The Hon John Dawkins MP – Foreign Investment Policy: Mass Circulation Newspapers – **20 April 1993**.
38. Statement by the Treasurer, The Hon John Dawkins MP – Modification to Foreign Investment Policy. Residential Real Estate and Developed Non-Commercial Real Estate – **1 April 1993**.
39. Statement by the Treasurer, The Hon John Dawkins MP – Economic Statement: Foreign Investment Policy Changes – **26 February 1992**.

Appendix B: Legislation and regulations, media releases and policy statements and publications

40. Statement by the Treasurer, The Hon John Kerin MP – Foreign Investment in the Print Media – **10 October 1991**.
41. Statement by the Treasurer, The Hon John Kerin MP – Foreign Investment Policy: Integrated Tourism Resorts – **25 July 1991**.
42. Statement by the Treasurer, The Hon Paul Keating MP – Proclamation of *Foreign Takeovers Amendment Act 1989* and Gazettal of Foreign Acquisitions and Takeovers Regulations – **6 July 1989**.
43. Statement by the Treasurer, The Hon Paul Keating MP – Foreign Investment Policy: New Oil and Gas Developments – **20 January 1988**.
44. Statement by the Treasurer, The Hon Paul Keating MP – Foreign Investment Policy: Developed Residential Real Estate – **29 September 1987**.
45. Statement by the Treasurer, The Hon Paul Keating MP – Thin Capitalisation and Corporate Restructures in relation to Foreign Investment Policy – **30 April 1987**.
46. Statement by the Treasurer, The Hon Paul Keating MP – Further Liberalisation of Foreign Investment Policy – **30 April 1987**.
47. Statement by the Treasurer, The Hon Paul Keating MP – Foreign Investment Policy Relaxations – **28 July 1986**.
48. Statement by the Acting Treasurer, The Hon Chris Hurford MP – Economic and Rural Policy Statement – **15 April 1986**.
49. Statement by the Acting Treasurer, The Hon Chris Hurford MP – Review of Foreign Investment Policy – **29 October 1985**.
50. Statement by the Treasurer, The Hon Paul Keating MP – New Banking Authorities – **27 February 1985**.
51. Statement by the Treasurer, The Hon Paul Keating MP – Foreign Investment Policy and Stockbroking – **18 December 1984**.
52. Statement by the Treasurer, The Hon Paul Keating MP – Participation in Banking in Australia and Other Issues of Financial Deregulation – **10 September 1984**.
53. Statement by the Treasurer, The Hon Paul Keating MP – Foreign Investment Policy and Stockbroking – **18 April 1984**.
54. Statement by the Treasurer, The Hon Paul Keating MP – Review of Foreign Investment Policy – **20 December 1983**.

Publications

- Foreign Investment Review Board annual reports: 1977 to 2006.
- Guidelines relating to Australia's foreign investment policy:
 - General Summary;
 - Urban Land;
 - Off-the-plan; and
 - Integrated Tourism Resorts.
- Application forms (December 2004) :
 - C1 – Application for approval to purchase residential real estate by a company or a trust;
 - D2 – Application by vendor/ developers for prior approval to sell up to 50 per cent of residential dwellings in a new complex; and
 - R3 – Application for approval to purchase residential real estate in individual names.
- Statutory notices:
 - Form 1 – Notice under section 25;
 - Form 2 – Notice under section 26; and
 - Form 3 – Notice under section 26A.
- FIRB service charter.
- Buying a home in Australia (pamphlet: September 2003).
- Advanced off-the-plan sales reporting template for developers (January 2006).

The current versions of guidelines, application forms, statutory notices and the FIRB service charter, as well as annual reports (from 1996), are available on the Foreign Investment Review Board's website at www.firb.gov.au.

The residential real estate C1 and R3 application forms may be filled in online through the Foreign Investment Online Application system (FIOLA). The relevant form and section 26A statutory notice must be printed, signed and forwarded with supporting documentation via email, fax or post (see Appendix G). The 30-day statutory examination period commences upon receipt of the valid statutory notice.