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| Register of Foreign Ownership of Agricultural Land  Report of registrations as at 30 June 2019 |

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# Introduction

The *Register of Foreign Ownership of Agricultural Land* (the Agricultural Land Register) was established to provide greater transparency about the level of foreign ownership of Australia’s agricultural land.

The Commissioner of Taxation reports annually to the Treasurer on the operation of the *Register of Foreign Ownership of Water or Agricultural Land Act 2015* (the Act) and is required to publish aggregate statistics of foreign ownership each year. This is the fourth report of the Agricultural Land Register (Agland 2019) and includes registrations made by foreign persons between 1 July 2015 and 30 June 2019.

Foreign persons are required to register their interests in agricultural land within 30 days of a specified event occurring, including the acquisition or disposal of those interests. Details of these events are at [Attachment A](#_Attachment_A:_Background). The definition of ‘foreign person’ includes entities with a level of foreign ownership of at least 20 per cent, so the Agricultural Land Register captures details of entities even when the majority of shareholders are Australian. The definition of ‘foreign person’ is at [Attachment B](#_Attachment_B:_Definitions). Details of the information collected during registration are at [Attachment E](#_Attachment_E:_Land).

The ATO is required to report on data from the register in aggregated format only. Consistent with Australia’s broader foreign investment review screening framework, the details of investors are not made publicly available. The taxation law also restricts the release of information which could identify, or be used to identify, an individual or entity.

## A quick note on methodology

The ATO has undertaken additional comparative analyses using Australian Bureau of Statistics (ABS) information on agricultural land holdings in Australia to estimate the relative proportion of foreign interests in Australian agricultural land.

To calculate the estimated proportion of foreign interests in agricultural land, a benchmark measure of the total agricultural land area in Australia is used. The benchmark is taken from agricultural commodity surveys or censuses conducted by the ABS.

The Rural Environment and Agricultural Commodities Survey (REACS) is conducted annually in the years between the five-yearly agricultural census. The previous Agricultural Land Register report (Agland 2018) used the data from the ABS 2016-2017 *Rural Environment and Agricultural Commodities Survey (REACS)*. This year, the ABS 2017-2018 *Rural Environment and Agricultural Commodities Survey (REACS)* is used*.* The REACS uses a sample methodology to estimate the total agricultural land area. As such, the estimates are subject to sampling variability.

To ensure legislative requirements are met, this report is produced as soon as practicable after 30th of June each year, using the most recently available REACS data at the time of publication. See [7121.0 - Agricultural Commodities, Australia, 2017-18 – Explanatory Notes](https://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/7121.0Explanatory%20Notes12017-18?OpenDocument) for more information on the ABS 2017-18 REACS.

Care should be taken when relying on this comparative analysis as differences in population between the Agricultural Land Register and ABS commodity surveys and censuses exist which affect the accuracy and reliability of this analysis[[1]](#footnote-1).

Figures in the tables have been rounded. Any discrepancies in the tables between totals and sums of components are due to rounding.

The statistics in this report need to be interpreted in conjunction with the information about the methodologies used, provided in [Attachment C](#_Attachment_C:_Methodology).

# Summary of key findings

The total area of agricultural land in Australia with a level of foreign ownership has fallen from 52.6 million hectares at 30 June 2018 to 52.1 million hectares at 30 June 2019.

Using the ABS measure of total agricultural land area in Australia, the estimated proportion of agricultural land with a level of foreign interest at 30 June 2019 was 13.8 per cent.

The level of foreign interest in agricultural land has remained relatively stable over the past four years. Table 1 shows the proportion of agricultural land with a level of foreign ownership between 2015-2019.[[2]](#footnote-2)

### Table 1: Agricultural land with a level of foreign interest – 4 year comparison

|  |  |  |
| --- | --- | --- |
| Agland report | Total foreign interest held  ‘000 ha | Agricultural land with a level of foreign interest (%) |
| 2015-2016 | 52,147 | 13.6 |
| 2016-2017 | 50,515 | 13.6 |
| 2017-2018 | 52,602 | 13.4 |
| 2018-2019 | 52,126 | 13.8 |

Key findings on a national basis include:

* The proportion of agricultural land with foreign ownership has remained relatively stable, with a decrease in total agricultural land offsetting the decrease in agricultural land with foreign ownership
* There has been a 0.90% reduction in agricultural land with foreign ownership (See Table 3)
* Around 83 per cent of agricultural land with foreign ownership is held on a leasehold basis
* Over 85 per cent of agricultural land with foreign ownership is used for livestock
* Aggregating total freehold and leasehold foreign ownership interests, China and the United Kingdom have ownership interests in the largest area of total Australian agricultural land (each having 2.4 per cent), followed by the Netherlands (0.7 per cent) and the US (0.6 per cent)
* There were several large transactions which altered agricultural land interests by country of ownership for Agland 2019. Notably, the UK reduced their total foreign ownership interests by around 1.2 million hectares. China’s overall interests were marginally lower (down 18,000 hectares)
* More generally, the changes in agricultural land interests by country of ownership compared to Agland 2018 can be attributed to:
  + new registrations of acquisitions of agricultural land that have settled since the last report
  + agricultural land that has been sold to Australian entities and has been removed from the register
  + agricultural land that has been sold to other foreign entities with a different foreign country of ownership
  + foreign entity restructures which have resulted in a change of the foreign entity’s status as a foreign person.
* There has been an increase in agricultural land with foreign ownership used for crops

Key findings on a state and territory basis include:

* Increases in the amount of agricultural land with a level of foreign ownership:
  + Western Australia with an increase of 1.1 per cent (156,000ha)
  + New South Wales and Australian Capital Territory with an increase of 0.2 per cent (4,000ha)
  + South Australia with an increase of 0.2 per cent (10,000ha).
* Decreases in the amount of agricultural land with a level of foreign ownership:
  + Victoria with a decrease of 6.4 per cent (42,000ha)
  + Northern Territory with a decrease of 2.3 per cent (330,000ha)
  + Queensland with a decrease of 1.7 per cent (268,000ha)
  + Tasmania with a decrease of 1.7 per cent (6,000ha)

The report includes an analysis of agricultural land with foreign ownership on a regional basis, using ABS Statistical Area[[3]](#footnote-3) (SA4) level standards.

# Findings

### Table 2A: Area of agricultural land with a level of foreign interest – 30 June 2019

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| State/ Territory | Foreign interest  (‘000 ha) | | | | Australian agricultural land  (‘000 ha) | Foreign interest  (%) |
| 2015-2016 | 2016-2017 | 2017-2018 | 2018-2019 | 2017-2018 REACS | 2018-2019[[4]](#footnote-4) |
| NSW/ACT | 2,375 | 2,487 | 2,553 | **2,557** | 52,401 | **4.9** |
| VIC | 607 | 634 | 660 | **618** | 10,916 | **5.7** |
| QLD | 17,658 | 15,748 | 15,758 | **15,490** | 139,132 | **11.1** |
| WA | 8,841 | 12,809 | 13,699 | **13,855** | 75,817 | **18.3** |
| SA | 7,156 | 4,796 | 4,933 | **4,943** | 46,701 | **10.6** |
| TAS | 342 | 354 | 362 | **356** | 1,398 | **25.5** |
| NT | 15,169 | 13,686 | 14,637 | **14,307** | 51,718 | **27.7** |
| **Total** | **52,147** | **50,515** | **52,602** | **52,126** | **378,082** | **13.8** |

Notes:

* The area of agricultural land with a level of foreign interest by state and territory is compared to the latest benchmark information, by state and territory from the ABS REACS to identify the estimated proportion of agricultural land that has a level of foreign interest.
* The ‘foreign interest %’ is the ratio of agricultural land with a level of foreign ownership to the total of agricultural land for each state and territory.
* Differences between the Agricultural Land Register and ABS commodity surveys and censuses exist which affect the accuracy and reliability of the above proportions.
  + For example, the ABS total agricultural land figure does not include agricultural land held by entities whose primary business activity is forestry. The proportion of agricultural land that is foreign owned for some state/territories that have a large portion of forestry is therefore likely overstated, especially in Tasmania and Victoria.
* See tables [5A](#_Table_5A:_Foreign) and [5B](#_Table_5B:_Foreign) for further details on land usage by state or territory.
* Information on historical agricultural land totals (from ABS) is contained in [Attachment D](#_Attachment_D:_ABS).

### Table 2B: Summary of foreign interests in agricultural land – Land size comparison

|  |  |  |  |
| --- | --- | --- | --- |
| State/Territory | 2017-2018  (‘000 ha) | 2018-2019  (‘000 ha) | % change |
| NSW/ACT | 2,553 | 2,557 | 0.2 |
| VIC | 660 | 618 | -6.4 |
| QLD | 15,758 | 15,490 | -1.7 |
| WA | 13,699 | 13,855 | 1.1 |
| SA | 4,933 | 4,943 | 0.2 |
| TAS | 362 | 356 | -1.7 |
| NT | 14,637 | 14,307 | -2.3 |
| Total | **52,602** | **52,126** | **-0.9** |

Notes:

* The movement in the land size between each year is indicated as “% change” per state or territory.
* The 2018-2019 property size is compared to the 2017-2018 property size to show the % change.
* It is not possible to reconcile the % changes reflected in Table 2B against annual movements in the estimate of the % of total agricultural land held by foreign persons due to annual fluctuations in ABS total agricultural land estimates.

### Table 3: Summary of foreign interests in agricultural land - Australian share of foreign held land

|  |  |  |  |
| --- | --- | --- | --- |
|  | 2017-2018  (‘000 ha) | 2018-2019  (‘000 ha) | % change |
| Foreign share of foreign held land | 39,232 | 38,362 | -2.2 |
| Australian share of foreign held land | 13,369 | 13,764 | 3.0 |
| Total area of land with a portion of foreign ownership | **52,602** | **52,126** | **-0.9** |

Notes:

* The share of Australian investors’ equity in land can be determined from the register. The register records entities with foreign ownership of 20 per cent share or more, which means there may be a significant portion of Australian equity in those same parcels of land.

### Table 4: Summary of foreign interests in Australian agricultural land – Number of properties held comparison

|  |  |  |  |
| --- | --- | --- | --- |
| State/Territory | 2017-2018  (No. of properties) | 2018-2019  (No. of properties) | % change |
| NSW/ACT | 2,213 | 2,386 | 7.8 |
| VIC | 1,889 | 1,938 | 2.6 |
| QLD | 1,477 | 1,543 | 4.5 |
| WA | 1,382 | 1,394 | 0.9 |
| SA | 679 | 703 | 3.5 |
| TAS | 988 | 995 | 0.7 |
| NT | 81 | 85 | 4.9 |
| Total | **8,709** | **9,044** | **3.8** |

Notes:

* The movement in the number of properties between each year is indicated as “% change” per state and territory.
* The 2018-2019 property count is compared to the 2017-2018 property count to show the % change.

### Table 5A: Foreign interests in agricultural land by land use (‘000 ha) – 30 June 2019

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| State/ Territory | Crops | Livestock | Horticulture | Other farming | Forestry | Non-farming | Unreported | Total |
| NSW/ACT | 613 | 1,409 | 81 | 44 | 90 | 81 | 238 | 2,557 |
| VIC | 87 | 64 | 7 | 11 | 414 | 19 | 16 | 618 |
| QLD | 385 | 12,971 | 88 | 52 | 343 | 186 | 1,465 | 15,490 |
| WA | 657 | 11,997 | 105 | 21 | 171 | 388 | 516 | 13,855 |
| SA | 27 | 4,778 | 8 | 8 | 81 | 38 | 3 | 4,943 |
| TAS | 6 | 60 | 14 | 3 | 263 | 5 | 4 | 356 |
| NT | 3 | 13,329 | 0 | 0 | 12 | 17 | 946 | 14,307 |
| Total | **1,779** | **44,608** | **302** | **140** | **1,374[[5]](#footnote-5)** | **734** | **3,189** | **52,126** |

Notes:

* Land use is split by state and territory across categories collected in the register.
* In some cases the registrant did not report the land use, this is shown in the ‘Unreported’ column.

### Table 5B: Foreign interests in agricultural land by land use (‘000 ha) – Comparison

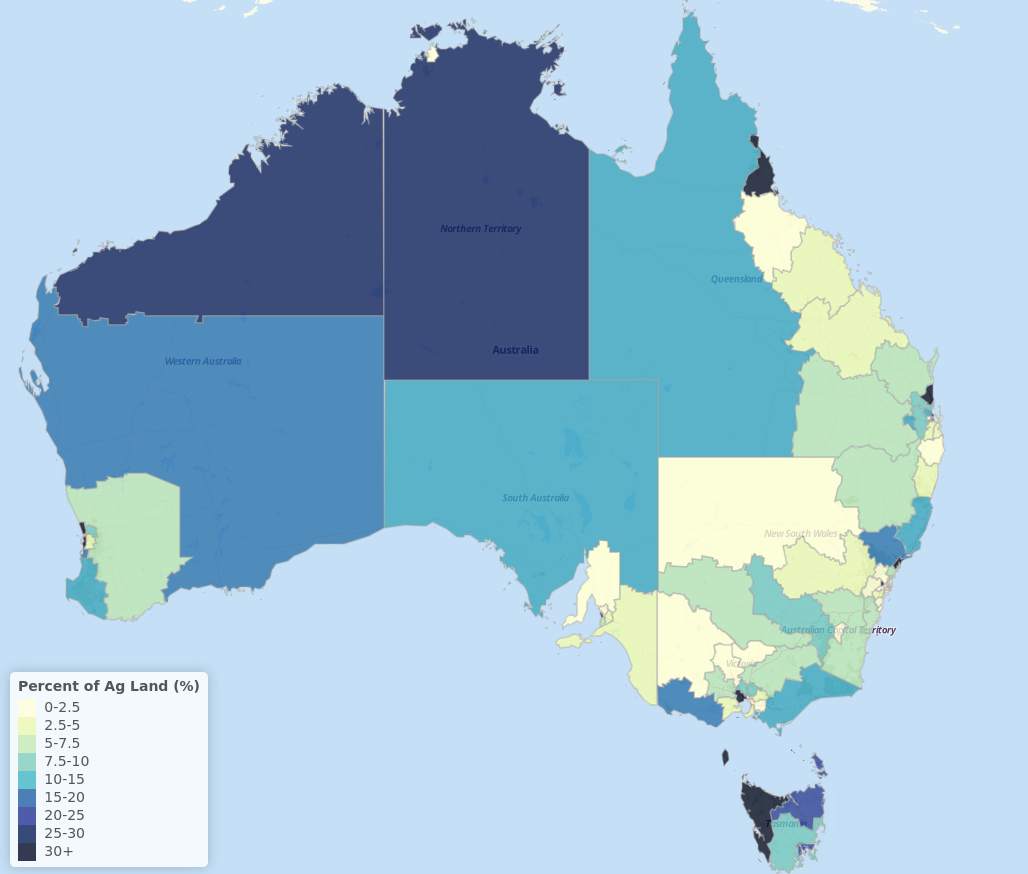
|  |  |  |  |
| --- | --- | --- | --- |
| Land use | 2017-2018 | 2018-2019 | % change |
| Crops | 1,675 | 1,779 | 6.2 |
| Livestock | 45,192 | 44,608 | -1.3 |
| Horticulture | 306 | 302 | -1.3 |
| Other farming | 105 | 140 | 33.3 |
| Forestry[[6]](#footnote-6) | 1,383 | 1,374 | -0.7 |
| Non-farming | 746 | 734 | -1.6 |
| Unreported | 3,189 | 3,189 | 0.0 |

Notes:

* The movement in the land usage each year is indicated as “% change” per category.
* The 2018-2019 land usage is compared to the 2017-2018 land usage to show the % change.
* In some cases the registrant did not report the land use, this is shown in the ‘Unreported’ column.

### Chart 1: Proportion of agricultural land with a level of foreign ownership, by Statistical Area Level 4 (SA4)

The following chart represents the proportion of agricultural land with a level of foreign ownership for each SA4 regional area.



Notes:

* Chart 1 is produced by calculating the proportion of agricultural land with a level of foreign ownership for each SA4 regional area. This is calculated by dividing the total amount of foreign held agricultural land in each region by the total amount of agricultural land in each region.
* The total amount of foreign held agricultural land in each region uses data collected by the ATO to 30 June 2019. As the ATO only collects data on foreign holdings, ABS data on total land holdings is used to estimate the proportion of land with a foreign ownership interest in each region. The ABS 2017-18 REACS along with the ABS Statistical Area 4 (SA4) standards[[7]](#footnote-7) was used for this purpose.
* This information is for illustrative purposes only and care should be taken when using this information for any other purpose.
* Differences between the Agricultural Land Register and ABS commodity surveys and censuses exist which affect the accuracy and reliability of this analysis.

For example, the ABS total agricultural land figure does not include agricultural land held by entities whose primary business activity is forestry. This is likely to overstate the proportion of agricultural land that is foreign owned in regions that have a large portion of forestry such as Victoria and Tasmania.

### Table 6: Foreign interests in freehold and leasehold land – 30 June 2019

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| State/ Territory | Freehold  (‘000 ha) | Leasehold  (‘000 ha) | Split of freehold and leasehold land per State/Territory | |
| Freehold  (%) | Leasehold  (%) |
| NSW/ACT | 2,245 | 764 | 74.6 | 25.4 |
| VIC | 566 | 84 | 87.0 | 13.0 |
| QLD | 4,599 | 12,083 | 27.6 | 72.4 |
| WA | 1,193 | 12,752 | 8.6 | 91.4 |
| SA | 287 | 4,659 | 5.8 | 94.2 |
| TAS | 307 | 49 | 86.1 | 13.9 |
| NT | 150 | 14,157 | 1.1 | 98.9 |
| **Total** | **9,347** | **44,549** | **17.3** | **82.7** |

Notes:

* The ratio of freehold and leasehold land to the total foreign held land by state and territory is shown in this table.
* In some instances, the same property has been separately registered by a foreign person with a freehold interest in the land and by another foreign person with a leasehold interest in the land, as required under the Act. Land size information from both registrations has been included in this table.
* As a result, the total hectares held by foreign persons is greater in Table 6 than Tables 1 to 5.

### Table 7A: Size of foreign agricultural land - freehold interests by source country

|  |  |  |
| --- | --- | --- |
| Country | Foreign owned portion - Freehold  (‘000 ha) | |
| 2017-2018 | 2018-2019 |
| Netherlands | 1,620 | 1,653 |
| United States of America | 1,214 | 1,230 |
| United Kingdom | 1,764 | 908 |
| China | 858 | 840 |
| Saudi Arabia | 410 | 496 |
| Canada | 314 | 435 |
| Denmark | 357 | 356 |
| Switzerland | 213 | 208 |
| New Zealand | 157 | 200 |
| Malaysia | 189 | 193 |

### Table 7B: Foreign interest in freehold agricultural land – Australian share of foreign held land

|  |  |  |  |
| --- | --- | --- | --- |
| Freehold interests | 2017-2018  (‘000 ha) | 2018-2019  (‘000 ha) | % change |
| Total for all foreign countries | 8,515 | 7,762 | -8.8 |
| Australian portion of foreign held land | 1,573 | 1,585 | 0.8 |
| Total area of freehold land with a portion of foreign ownership | **10,088** | **9,347** | **-7.3** |

Notes:

* The nationality of the registrant holding the interest is collected in the register.
* Only the top 10 countries are shown to avoid identification of individuals and entities.
* In some instances, the same property has been separately registered by a foreign person with a freehold interest in the land and by a foreign person with a leasehold interest in the land, as required under the Act. Land size information from both registrations has been included in this table.

### Table 8A: Size of foreign agricultural land - Leasehold interests by source country.

|  |  |  |
| --- | --- | --- |
| Country | Foreign owned portion - Leasehold  (‘000 ha) | |
| 2017-2018 | 2018-2019 |
| China | 8,313 | 8,313 |
| United Kingdom | 8,489 | 8,118 |
| Bahamas | 2,201 | 2,201 |
| Germany | 920 | 1,933 |
| Switzerland | 1,731 | 1,804 |
| Canada | 1,688 | 1,694 |
| Hong Kong | 1,113 | 1,181 |
| Netherlands | 1,143 | 1,143 |
| South Africa | 631 | 1,131 |
| United States of America | 1,447 | 996 |

### Table 8B: Foreign interest in leasehold agricultural land – Australian share of foreign held land

|  |  |  |  |
| --- | --- | --- | --- |
| Leasehold | 2017-2018 (‘000 ha) | 2018-2019  (‘000 ha) | % change |
| Total for all foreign countries | 31,757 | 32,208 | 1.4 |
| Australian portion of foreign held land | 11,950 | 12,342 | 3.3 |
| Total area of leasehold land with a portion of foreign ownership | **43,707** | **44,550** | **1.9** |

Notes:

* The nationality of the registrant holding the interest is collected in the register.
* Only the top 10 countries are shown to avoid identification of individuals and entities.
* In some instances, the same property has been separately registered by a foreign person with a freehold interest in the land and a foreign person with a leasehold interest in the land, as required under the Act.
* Land size information from both registrations has been included in table.

**Background information on obtaining source country information**

As part of the registration information, entities and trusts are required to provide their country of nationality. Source country information has been verified using information provided by registrants, ATO data sources and manual data collection.

Where the registered owner is an individual, the nationality the person reported in their registration is treated as the source country. Where the registered owner is a company or trust, the nationality of the beneficial owner is used to determine the source country. Where the beneficial owner is identified as an Australian citizen who is not ordinarily resident in Australia (and hence a foreign person), the source country has been allocated to the country they are ordinarily resident in.

The beneficial owner is determined by using resources within the ATO and other agencies such as the Department of Home Affairs and ASIC. Where shares or interests are widely held, the agricultural land held by the entity or trust is attributed to a source country based on the location of the directors or the country where the entity is headquartered or publicly listed depending on information available.

The attribution of a source country to foreign held agricultural land continues to evolve as new information on beneficial ownership comes to light.

**Adjustment to methodology in Agland 2019**

In some instances, the same property has been registered twice - by a foreign person with a freehold interest in the land and by another foreign person with a leasehold interest in the same land, as required under the Act.

Tables 1 to 5 present information that does not count the leasehold registration where a foreign person holds a freehold interest in the land and a foreign person holds a leasehold interest in the land. Instances where two unrelated foreign persons each with a leasehold interest in the land are only counted as one leasehold.

Tables 6, 7A, 7B, 8A and 8B include information from all freehold and leasehold registrations, and as a result the total hectares held by foreign persons is greater in these tables than elsewhere is this report.

# Attachment A: Background

The Agricultural Land Register was established on 1 July 2015 and is administered by the ATO. TheAct requires foreign persons with an interest in agricultural land to register that interest on the Agricultural Land Register, regardless of the value of the land. This is referred to in this report as foreign ownership of agricultural land.

Ultimately the obligation to register correctly lies with the foreign person and penalties exist under the *Taxation Administration Act 1953* where a person fails to register correctly. Section 16 of the Act allows the Commissioner to correct or update information on the Agricultural Land Register.

Investors are required to notify the ATO within 30 days if they:

* are a foreign person starting to hold agricultural land
* are a foreign person ceasing to hold agricultural land
* become a foreign person while holding agricultural land
* cease to be a foreign person while holding agricultural land
* are a foreign person holding land that becomes agricultural land
* are a foreign person holding land that ceases to be agricultural land.

An interest in agricultural land includes a freehold interest or the right to occupy land under a lease (including a sublease or licence) where the term of the lease or licence (including any extension or renewal) is reasonably likely to exceed five years.

A stocktake was conducted between 1 July 2015 and 29 February 2016 to enable existing foreign person landholders to register their land. During this time, the ATO used data matching to identify and contact investors who may have met the definition of foreign person and who held Australian land that may have met the definition of agricultural land.

# Attachment B: Definitions

This attachment provides information on the definitions of ‘foreign person’ and ‘agricultural land’ as detailed in the Act. Further information on the definitions can be found in the Guidance Notes on the Foreign Investment Review Board (FIRB) website at: [**www.firb.gov.au**](http://www.firb.gov.au/).

**Definition of a foreign person**

The term ‘foreign person’ is defined in section 4 of the Act. It states that the term has the same meaning as ‘foreign person’ as defined in section 4 of the *Foreign Acquisitions and Takeovers Act 1975*.

In general, a ‘foreign person’ is:

* an individual not ordinarily resident in Australia[[8]](#footnote-8)
* a foreign government or foreign government investor
* a corporation, trustee of a trust or general partner of a limited partnership where an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds a substantial interest of at least 20 per cent
* a corporation, trustee of a trust or general partner of a limited partnership in which two or more foreign persons hold an aggregate substantial interest of at least 40 per cent.

**Definition of** **agricultural land**

‘Agricultural land’ is defined in section 4 of the Act as land in Australia that is used, or that could reasonably be used, for a primary production business.

Section 5 of the Act provides that rules may be made that specify land that will not be considered agricultural land for the purposes of the Agricultural Land Register. The *Register of Foreign Ownership of Water or Agricultural Land Rules 2017* provides that the following land will not be considered agricultural land for the purposes of the Act[[9]](#footnote-9):

* Land that is not currently being wholly or predominantly used at that time for a primary production business and:
  + zoning approval is required from government before the land could be used for primary production
  + the land is currently used, or proposed to be used for mining or activities ancillary to mining
  + the land is used for environmental protection or conservation under a law of the Commonwealth, a state or a territory or a legally binding agreement
  + the land is located within an area that has been approved by a government authority as an industrial estate
  + the size of the land is under one hectare
  + the land has been approved by a government authority for use as a tourist facility, an outdoor education establishment or an outdoor recreation facility that is open to the public
  + an application has been made to re-zone the land to not allow the land to be used for a primary production business, or approval has been sought to use the land for mining activities
  + the land is used for wind or solar power station(s), including when an approval is in place to allow the wind or solar farm to be established or operated on the land, or the land was acquired solely for the purpose of meeting a requirement of government approval for the solar or wind farm.
* Land where the only primary production business the land could reasonably be used for is a primary production business relating to submerged plants and animals.

# Attachment C: Methodology

This is an overview of the main methodological caveats that apply to the data in this report.

* Data was extracted from the Agricultural Land Register database as at 30 June 2019.
* Some registrations have been altered in accordance with section 16 of the Act when it has been determined via data matching or manual data collection that the registrant has provided incorrect information. The validation of registrations is an ongoing exercise, with information validated using third party data sources and manual data collection.
* Registrants were able to enter the area of their land holdings onto the Agricultural Land Register in any unit of measurement during the stocktake. The ATO has converted into hectares any land holdings reported in a different unit of measurement. Registrants are now required to enter the area of their land holding in metres squared (m2) which is then converted to hectares for reporting purposes.
* Entities and trusts were required to report their country of incorporation and the nationality of the owner. However, this is not necessarily a reflection of the foreign source country of the investor. Source country information has been obtained using information provided by registrants, ATO data sources and manual data collection.[[10]](#footnote-10)
* Properties are given a unique identifier in the form of a composite of the property name/address, suburb and state/territory. Counts of properties were based on instances of unique identifiers.
* Properties were assigned geographic coordinates using a geocoding algorithm. Each property was assigned a Statistical Area (Level 4) based on its geographic coordinates, (shown in Chart 1).
* In some instances, the same property has been registered twice - by a foreign person with a freehold interest in the land and by another foreign person with a leasehold interest in the land, as required under the Act. Information in Tables 1 to 5 does not include leasehold registrations where a property has been already been registered as freehold. However, in Table 6, the land size information from both freehold and leasehold registrations has been included. Table 7A and Table 7B separately show the size of foreign held agricultural land by freehold and leasehold respectively. All freehold and leasehold registrations are shown in Tables 7A and 7B.
* Note: The definition of agricultural land under the *Foreign Acquisitions and Takeovers Act 1975* includes ‘land in Australia that is used, or that could reasonably be used, for primary production purposes’. Due to the broad nature of this definition it is possible that the Agricultural Land Register includes land that is not captured as part of the ABS *Agricultural Census* or ABS REACS. This may have the effect of overstating the total proportion of Australian agricultural land that is foreign held. Importantly, entities whose primary business is forestry are not captured by ABS agricultural data that has been used for comparative purposes in this report.

# Attachment D: ABS historical data

Total area of agricultural land comparison – ABS Agricultural land

|  |  |  |  |
| --- | --- | --- | --- |
| State/ Territory | 2016-2017 REACS  (‘000 ha) | 2017-2018 REACS  (‘000 ha) | % Change |
| NSW/ACT | 55,439 | 52,401 | -5.5 |
| VIC | 10,852 | 10,916 | 0.6 |
| QLD | 137,955 | 139,132 | 0.9 |
| WA | 83,770 | 75,817 | -9.5 |
| SA | 49,720 | 46,701 | -6.1 |
| TAS | 1,480 | 1,398 | -5.5 |
| NT | 54,580 | 51,718 | -5.2 |
| **Total** | **393,797** | **378,082** | **-4.0** |

Notes:

* A comparison of total area of agricultural land split by state and territory over the last 2 years illustrates movement in all agricultural land in Australia using ABS data.
* The movement in agricultural land between each year is indicated as “% change” per state and territory.

# Attachment E: Land and Water registration form fields

Each registrant must complete the following mandatory fields:

**Contact details**

* Name
* Position
* Address
* Mobile/cell number
* Contact email

**Reason for registration**

* Acquisition of agricultural land
* Cease to hold agricultural land
* Change in status: To or from foreign person
* Change in status: To or from agricultural land

**Entity/ownership details**

* Name
* Country of incorporation (where registrant is a trust or company)
* Reason why the company/trust is a foreign person
* Address
* Date of birth
* Nationality (where registrant is an individual or where country of incorporation is entered as Australia)
* Address
* Mobile/cell number
* Contact email

**Land title details**

* Property address
* Title information
* Land area
* Land use
* Land value
* Title holding type (leasehold or freehold)
* Date of event
* Percentage interest in the land

1. In particular, it should be noted that the ABS does not capture entities whose primary business activity is forestry as part of their agricultural surveys or census, whereas forestry land holdings are captured as part of the Agricultural Land Register. [↑](#footnote-ref-1)
2. Care should be taken when comparing percentage foreign ownership of agricultural land across years as estimates are taken from annually-updated ABS REACS. These are subject to sampling variability. For example, the 2017-18 ABS REACS reported a 4 per cent decrease in the total amount of agricultural land across Australia with the total area decreasing from 393 million hectares in 2017-18 to 378 million hectares in 2018-19. [↑](#footnote-ref-2)
3. The Australian Statistical Geography Standard (ASGS) is the Australian Bureau of Statistics' geographical framework, effective from July 2016. [↑](#footnote-ref-3)
4. Refer to Agland 2018 for previous year’s proportion of foreign held agricultural land. [↑](#footnote-ref-4)
5. The ABS does not capture entities whose primary business activity is forestry as part of their agricultural surveys or census, however forestry land holdings are captured as part of the Agricultural Land Register. [↑](#footnote-ref-5)
6. The ABS does not capture entities whose primary business activity is forestry as part of their agricultural surveys or census, however forestry land holdings are captured as part of the Agricultural Land Register. [↑](#footnote-ref-6)
7. The Australian Statistical Geography Standard (ASGS) is the Australian Bureau of Statistics' geographical framework, effective from July 2016. [↑](#footnote-ref-7)
8. As defined in section 5 of the *Foreign Acquisitions and Takeovers Act 1975*. [↑](#footnote-ref-8)
9. Land that is not agricultural land for the purposes of the *Register of Foreign Ownership of Water or Agricultural Land Act 2015* is outlined in section 44 of the *Foreign Acquisitions and Takeovers Regulation 2015.* [↑](#footnote-ref-9)
10. In some cases, the nationality or country of incorporation of a nominal investor may have been identified, rather than the nationality or country of incorporation of the ultimate beneficial owner. [↑](#footnote-ref-10)