

MONETARY THRESHOLDS APPLICABLE FROM 1 JANUARY 2023

Monetary thresholds are indexed annually on 1 January, except for the more than \$15 million (cumulative) threshold for agricultural land and the more than \$50 million threshold for agricultural land for Thailand investors, which are not indexed.

LAND INVESTMENTS

Investor	Action	Threshold – more than:
All investors	National security land	\$0
	Residential land	\$0
	Vacant commercial land	\$0
Private investors from certain FTA partners ¹	Agricultural land	For Chile, New Zealand, and the United States, \$1,339 million
		Others, \$15 million (cumulative)
	Developed commercial land	\$1,339 million ²
	Mining and production tenements	For Chile, New Zealand, and the United States, \$1,339 million
		Others, \$0
Private investors not from a certain FTA partner	Agricultural land	For Thailand, \$50 million
		Others, \$15 million (cumulative)
	Developed commercial land	\$310 million
		Where the land is sensitive ³ , \$67 million

¹ The certain FTA partners are: Chile, China, Hong Kong, Japan, New Zealand, Peru, Singapore, the Republic of Korea, the United States of America, and any other countries not otherwise listed (other than Australia) for which the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), done at Santiago on 8 March 2018, is in force (i.e. Canada, Mexico, Malaysia and Vietnam). To be eligible for these thresholds, the immediate acquirer must be an entity formed in one of these countries. An investor acquiring through a subsidiary incorporated in another jurisdiction will be subject to the relevant thresholds of the subsidiary's jurisdiction.

² For Hong Kong and Peruvian investors however, where developed commercial land is also sensitive land (see subsections 52(5) and 52(6) of the *Foreign Acquisitions and Takeovers Regulation 2015*), a threshold of \$67 million will apply.

³ Sensitive developed commercial land (see subsection 52(6) of the *Foreign Acquisitions and Takeovers Regulation 2015*) includes: mines and critical infrastructure (for example, an airport or port).

Investor	Action	Threshold – more than:
		For India, non-sensitive land for the supply of services, \$500 million ⁴
	Mining and production tenements	\$0
Foreign government investors	All investments	\$0

⁴ This applies to developed commercial land acquired predominantly for the supply of a service through a commercial presence in Australia (see subsection 52(5), table item 3A of the *Foreign Acquisitions and Takeovers Regulation 2015* [commences 29 December 2022])

NON-LAND INVESTMENTS

Investor	Action	Threshold – more than:
All investors	National security businesses	\$0
	Australian media businesses	\$0
Private investors from certain FTA partners ⁵	Non-sensitive businesses	\$1,339 million
	Sensitive businesses ⁶	\$310 million
	Agribusinesses	For Chile, New Zealand, and the United States, \$1,339 million.
		Others, \$67 million (cumulative)
Private investors not from a certain FTA partner	Businesses (sensitive and non-sensitive)	\$310 million
	Agribusinesses	\$67 million (cumulative)
	Service businesses (non-sensitive)	For India, \$500 million ⁷
Foreign government investors	All investments	\$0 ⁸

⁵ The certain FTA partners are: Chile, China, Hong Kong, Japan, New Zealand, Peru, Singapore, the Republic of Korea, the United States of America, and any other countries not otherwise listed (other than Australia) for which the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), done at Santiago on 8 March 2018, is in force (i.e. Canada, Mexico, Malaysia and Vietnam). To be eligible for these thresholds, the immediate acquirer must be an entity formed in one of these countries. An investor acquiring through a subsidiary incorporated in another jurisdiction will be subject to the relevant thresholds of the subsidiary's jurisdiction.

⁶ Sensitive businesses (see section 22 of the *Foreign Acquisitions and Takeovers Regulation 2015*) include: media; telecommunications; transport; defence and military related industries and activities; encryption and securities technologies and communications systems; and the extraction of uranium or plutonium; or the operation of nuclear facilities.

⁷ See subsections 51(2) and 51(3) of the *Foreign Acquisitions and Takeovers Regulation 2015* [commences 29 December 2022]

⁸ Some limited exceptions to this rule apply (see section 56 of the *Foreign Acquisitions and Takeovers Regulation 2015*).