



Foreign Acquisitions and Takeovers Amendment Regulation 2012 (No. 1)¹

Select Legislative Instrument 2012 No. 309

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Foreign Acquisitions and Takeovers Act 1975*.

Dated 6 December 2012

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

DAVID BRADBURY
Assistant Treasurer

1 Name of regulation

This regulation is the *Foreign Acquisitions and Takeovers Amendment Regulation 2012 (No. 1)*.

2 Commencement

- (1) This regulation commences on the day notified by the Minister in an instrument.
- (2) An instrument made under subsection (1) is a legislative instrument, but neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies to the instrument.

3 Amendment of *Foreign Acquisitions and Takeovers Regulations 1989*

Schedule 1 amends the *Foreign Acquisitions and Takeovers Regulations 1989*.

Schedule 1 Amendments

(section 3)

[1] Regulation 2

insert

New Zealand enterprise has the meaning given by regulation 2AB as if a reference in that regulation to ‘US’ or ‘the United States of America’ were a reference to ‘New Zealand’.

New Zealand national means an individual who is a citizen of New Zealand or a person who is entitled to live indefinitely in New Zealand, but does not include a person who:

- (a) is entitled to live in the Cook Islands, Niue or Tokelau;
and
- (b) does not live in New Zealand.

[2] Regulation 2AB, at the foot

insert

Note See also the definition of *New Zealand enterprise* in regulation 2.

[3] Paragraphs 9 (a) and (b)

substitute

- (a) a New Zealand enterprise; or
- (b) a New Zealand national; or
- (c) a US enterprise; or
- (d) a US national.

[4] Regulation 10

omit

greater than

insert

at least

[5] Subregulation 11 (2)

before

the United States of America.

insert

New Zealand or

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.