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)

[] 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.

[] Regulation 2AB, at the foot

insert

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

[] 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.

[] Regulation 10

omit

greater than

insert

at least

[] 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](http://www.comlaw.gov.au/).