

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 69(2)

WHEREAS --

- (A) Xinyu Yang (Mr Yang) acquired an interest in Australian land situated at 3605/483 Swanston Street, Melbourne, Victoria (the land) in 2013;
- (B) I am satisfied that Mr Yang's acquisition of an interest in the land was a significant action that was taken before 1 December 2015 (see item 6(1) of Schedule 3 to the *Foreign Acquisitions and Takeovers Legislation Amendment Act 2015* and also section 43 of the *Foreign Acquisitions and Takeovers Act 1975* (FATA));
- (C) I am satisfied that the result of that significant action is contrary to the national interest; and
- (D) I am also satisfied that the Treasurer would have had the power to make an order under subsection 21A(4) of the FATA (as it was immediately after Mr Yang acquired an interest in the land) on the following basis:
 - Mr Yang was a foreign person who acquired an interest in Australian urban land; and
 - I am satisfied that the acquisition of that interest was contrary to the national interest.

NOW THEREFORE

I, ELIZABETH HARDCASTLE, Assistant Commissioner at the Australian Taxation Office, hereby make an order in accordance with item 7 of the table in subsection 69(2) of the FATA, directing Mr Yang to DISPOSE of his interest in the land, by midnight (Canberra time) 3 months from the date that this order commences, to one or more persons who are not his associates.

This order commences on the day that is 30 days after it is registered on the Federal Register of Legislation.

Dated 5 December 2016

Elizabeth Hardcastle
Assistant Commissioner, Australian Taxation Office