

Position Property is an internationally respected real estate company with an established division to cater for the needs of people wanting to invest in Australia from overseas.

Investment in Australia from overseas is controlled by the Foreign Investment Review Board. The Australian Government has a foreign investment policy designed to encourage investment in Australia.

### Entering into a contract

All contracts by foreign persons to acquire interests in Australian real estate must be made conditional upon foreign investment approval, unless approval was obtained prior to entering into the contract.

### What can a Foreign Person Buy?

#### 1. New Dwellings/Apartments

Acquisitions of new home units, townhouses, house and land packages (where construction has commenced), strata titled hotel/motel units in a new development, either 'off-the-plan', during the construction phase or when the dwelling is newly completed are normally approved (provided that it has never been occupied or sold).

This category includes dwellings that are part of extensively refurbished buildings where the building's use has undergone a change from non-residential (eg office, warehouse) to residential and the cost of redevelopment is a minimum amount equivalent to 50 per cent of the total acquisition cost based on purchase price or market value of the property, whichever is the greater.

This category does not include second-hand residential real estate that has been refurbished.

#### 2. Stand-alone dwellings

Where the new dwelling to be purchased is a stand alone dwelling (for example a house/land package where construction has commenced or been completed) the purchase may be approved under this category providing: -

- the developer has constructed a similar dwelling with overlapping construction dates
- the similar dwelling is being sold, or has been sold for a similar consideration
- the similar dwelling is in a proximal location
- and the similar dwelling has been, or is to be, purchased by an Australian or other eligible person.

If a similar dwelling does not exist, foreign investment approval is not available under this category.

A property purchased under this category may be rented out, sold to Australian interests or other eligible purchasers, or retained for the foreign investor's own use. Once the property has been purchased, it is second-hand real estate and is subject to the restrictions applying to that category.