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## Agricultural Investment

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If you're a foreign person (including a temporary resident or foreign non-resident) and you have invested in, or plan to invest in Australian agricultural land:

- you may need to apply for approval through the FIRB's portal before you invest, and
- you must complete a *Land and water registration form* after you invest.

### On this page:

- [Before you invest](#)
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### See also:

- Foreign Investment Review Board's guidance note 31: [Who is a 'foreign person'?](http://firb.gov.au/resources/guidance/gn31/)

## Before you invest

Whether you have to apply to the FIRB for approval depends on factors such as the value of the investment, if you are an investor from one of our trade agreement partners and if you are a foreign government investor.

### See also:

- Foreign Investment Review Board's page on [Agricultural investment](https://firb.gov.au/investment/agricultural/)

## How to apply

If you need FIRB approval to purchase agricultural land, you apply through the FIRB website portal.

### See also:

- Foreign Investment Review Board – [Applications](https://firb.gov.au/applications/)

## After you invest

If you're a person foreign to Australia (including temporary residents, foreign non-residents and Australian citizens or permanent residents living overseas) and you have invested in Australian agricultural land, you must notify us about your investment using our agricultural land register. There is no cost involved in registering.

## Who must register

Check the FIRB's guidance note 31: [Who is a 'foreign person'?](http://firb.gov.au/resources/guidance/gn31/) carefully, as the meaning of 'foreign person' may include you if you are:

- an Australian citizen or permanent resident living overseas
- a corporation, trustee of a trust or general partner of a limited partnership that meets the definition of a foreign person under Australia's foreign investment rules.

You need to register if you:

- are the legal owner, or
- have a right to occupy the agricultural land under a lease or licence that is likely to exceed five years (including possible extensions or renewals). If the lease or licence started:
  - before 1 July 2015, the five years is taken from 1 July 2015
  - from 1 July 2015, the five years is taken from the date it started.

## Who does the registration

Generally the person with the direct legal interest is required to register their holding with us. Where there are multiple foreign persons with a legal interest in agricultural land each foreign person has an obligation to register with us.

### Others who can register

An agent may register on a foreign person's behalf.

If a person dies before registering their land holdings, the executor or administrator of their estate must register the land holdings.

### Multiple owners

You can use the registration form to register up to 20 properties if it is for the same registration reason. If you need to register more than 20 properties, or one property with more than 20 titles, you will need to enter the remaining properties or title information on a new registration form.

You must enter the same contact and owner details as before for the additional forms to be linked to the first registration form. If there is more than one owner, make sure you enter the owners in the same order as your first registration.

If there are more than 20 owners you will have to complete an additional form.

## When to register

When you need to register depends on when you started holding the agricultural land. If it was:

- before 1 July 2015, you must register with us immediately. This also applies if the holding is a lease or license that is reasonably likely to exceed five years from 1 July 2015
- from 1 July 2015 to 31 January 2016, you should have registered it by 29 February 2016. If you haven't registered, you must register with us immediately
- on or after 1 February 2016, you must register with us within 30 days of the date of purchase.

Penalties may apply if you do not register within 30 days.

## How to register

You register by completing a [Land and water registration form \(/firb\\_land\\_registration/\)](#). There is no cost involved in registering.

You will need the following information to register:

- reason for registration (agricultural land or residential real estate)
- entity details
- Foreign Investment Review Board approval number (if obtained)

- land location, size and usage details
- land title information
- date of the event
- sale price of the land if the transaction was arms-length within the past 12 months. Otherwise, you need the value of the land calculated on a reasonable basis having regard to market value of the land, including buildings or other structures
- way in which the registering entities hold their interest (individual, corporation, trust)
- percentages of the interest held in the land by the registering entities.

## Statistics, reporting and privacy

We report on statistics from our land register including:

- the proportion of Australian agricultural land held by foreign persons
- the level of foreign interests in agricultural land by state or territory
- the level of foreign interests in agricultural land by country of incorporation or ultimate owner (if possible)
- how agricultural land is used.

We are required to report this information to the Treasurer as soon as possible after 30 June each year – see the latest *Register of Foreign Ownership of Agricultural Land – Report of Registrations* on the FIRB's [Publications](http://firb.gov.au/about/publication/) (<http://firb.gov.au/about/publication/>) page.

We do not make further details available to the public.

## If your situation changes

If your situation changes, it may affect your registration. Common situations include if:

- you no longer hold agricultural land – complete a *Land and water registration form* to remove your details when you sell, transfer the land to someone else or no longer lease the land from someone else
- you become a foreign person while holding agricultural land – complete a *Land and water registration form* to register your holding with us within the specified timeframe
- you are no longer a foreign person – complete a *Land and water registration form* to remove your details
- the land ceases to be agricultural land while you are holding it – complete a *Land and water registration form* to adjust the details of your property on the register.

## Foreign investment rule breaches

If you avoid your obligations you could face administrative penalties. If you have information about someone you think may be deliberately breaking our foreign investment rules, you can report it confidentially online.

### See also:

- Foreign Investment Review Board's page on [Compliance](http://firb.gov.au/real-estate/compliance/) (<http://firb.gov.au/real-estate/compliance/>)

## Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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