



## **Overseas Investment (CPTPP–Viet Nam) Amendment Regulations 2018**

Patsy Reddy, Governor-General

### **Order in Council**

At Wellington this 10th day of December 2018

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 61A of the Overseas Investment Act 2005—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Finance made in accordance with section 61A(3) of that Act.

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### **Regulations**

#### **1 Title**

These regulations are the Overseas Investment (CPTPP–Viet Nam) Amendment Regulations 2018.

## 2 Commencement

These regulations come into force on 14 January 2019.

## 3 Principal regulations

These regulations amend the Overseas Investment Regulations 2005 (the **principal regulations**).

## 4 Regulation 85 amended (Definitions)

- (1) In regulation 85(1), definition of **type A enterprise**, after paragraph (a)(v), insert:

(vi) Viet Nam:

- (2) In regulation 85(1), definition of **type A individual**, after paragraph (a)(v), insert:

(vi) Viet Nam:

- (3) In regulation 85(1), definition of **type A territory**, after paragraph (a)(v), insert:

(vi) Viet Nam:

Michael Webster,  
Clerk of the Executive Council.

## Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations come into force on 14 January 2019, which is the date on which the Comprehensive and Progressive Agreement for Trans-Pacific Partnership done at Santiago on 8 March 2018 (the **CPTPP Agreement**) enters into force for Viet Nam.

These regulations amend Part 5 of the Overseas Investment Regulations 2005, which provides for alternative monetary thresholds for overseas investments in significant business assets for the purpose of implementing New Zealand's obligations under the CPTPP Agreement. The thresholds apply for the purpose of determining whether overseas investments in business assets require consent under the Act.

These regulations bring Viet Nam into the same overseas investment position as countries for which the CPTPP Agreement has already entered into force. There are increased monetary thresholds in section 13 of the Act from \$100 million to \$200 million for investors from those countries.

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These regulations are administered by the Treasury.

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Wellington, New Zealand:

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