

ANNUAL REPORT 2017-2018

on administration of the

Foreign Ownership of Land Register Act 1988

This publication has been compiled by the Titles Registry, Natural Resources, Department of Natural Resources, Mines and Energy.

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ANNUAL REPORT on the administration of the *Foreign Ownership of Land Register Act 1988 (Qld)*, 2017-2018

This report is provided in accordance with Section 16(1) of the *Foreign Ownership of Land Register Act 1988* (the Act) and covers Titles Registry operations for the period 1 July 2017 to 30 June 2018.

The Act provides for the disclosure of foreign ownership of land in Queensland. All foreigners, as defined in the Act, are required to notify the Registrar of Titles of any acquisition or disposal of land or a relevant interest in land. (See **Attachment A** for definition of a foreigner).

An interest in land is as defined in the Act and can include an interest in freehold land (including a lot within a community titles scheme), State leasehold land and other specific types of interests. The Act does not require the separate identification of different land uses. (See **Attachment A** for definition of interest in land).

Notifications given in compliance with the requirements of the Act are maintained in the Foreign Ownership of Land Register. Foreign ownership of land in the State is monitored to the extent of the notifications received.

Titles Registry records indicate foreign interests invested more than \$3.55 billion in Queensland property during the reporting period, a decrease of \$0.7 billion from the previous year.

Statistics compiled from notifications of acquisition and disposal reveal that, as at 30 June 2018, foreign owned interests in land in Queensland totalled approximately 11,463,240 hectares, representing approximately 6.6 per cent of the state's land area (See **Attachment B** for the methodology used

There were 142 countries of origin recorded in the register as at 30 June 2018.

The Australian Government now publishes data (usually annually) on foreign ownership of agricultural land in Australia. It is noted that the area of Queensland land the Australian Government's data identifies as foreign owned, is different to the area of land identified in this report. This appears to be due to a range of factors including differences in the definition of who is considered to be foreign, in particular with respect to corporations, and differences in what interests in land are required to be reported, in particular with respect to leases with terms between 5 and 25 years.



EV Dann

Registrar of Titles

1. Value of annual acquisitions

2015/16		2016/17		2017/18	
Country	Value (A\$)	Country	Value (A\$)	Country	Value (A\$)
China	1,349,535,345	China	1,476,638,882	China	1,413,872,220
Singapore	471,034,708	USA	508,401,131	Singapore	391,346,422
USA	438,617,428	Jersey	417,625,004	USA	350,111,168
Germany	229,718,295	KOR	220,689,172	United Kingdom	308,642,789
KOR	201,654,742	Hong Kong	216,165,381	Hong Kong	177,049,490
United Kingdom	142,817,590	Germany	203,096,033	Germany	158,773,083
Others	979,772,996	Others	1,241,617,079	Others	758,581,101
Total	3,813,151,106	Total	4,284,232,682	Total	3,558,376,273

Table 1 shows the six countries with the highest recorded value of annual acquisitions of land during each of the last three financial years.

2. Total land area owned (by nationality) as at 30 June*

2016		2017		2018	
Country	Area (ha)	Country	Area (ha)	Country	Area (ha)
United Kingdom	2,208,150	United Kingdom	2,217,900	United Kingdom	2,861,340
China	1,602,890	Netherlands	1,892,760	Netherlands	1,824,760
Netherlands	1,141,780	China	1,630,200	China	1,708,820
Luxembourg	651,150	Bahamas	915,890	Bahamas	915,890
USA	618,880	USA	691,080	USA	796,700
Switzerland	517,820	Guernsey	538,000	Guernsey	538,000
Others	2,728,670	Others	2,702,010	Others	2,817,730
Total	9,469,340	Total	10,587,840	Total	11,463,240

Table 2 shows the six countries with the highest recorded land ownership by area as at 30 June for each of the last three years.

*Approximate areas only.

3. Total land parcels with some level of foreign ownership (by nationality) as at 30 June

2016		2017		2018	
Country	Number	Country	Number	Country	Number
United Kingdom	5,861	China	7,673	China	9,792
China	5,448	United Kingdom	5,817	United Kingdom	5,092
New Zealand	2,594	New Zealand	2,536	New Zealand	2,560
Japan	2,475	USA	2,461	USA	2,556
USA	2,380	Japan	2,405	Singapore	2,288
Singapore	1,995	Singapore	2,147	Japan	2,194
Others	12,973	Others	14,123	Others	15,616
Total	33,726	Total	37,162	Total	40,098

Table 3 shows the six countries with the highest recorded ownership of land parcels as at 30 June for each of the last three years.

Code	Country	Code	Country
USA	United States of America	KOR	Republic of Korea (South Korea)

**Foreign Ownership of Land Register
(Categories ranked by top 10 local government areas)**

**1. Value of annual acquisitions in 2017/18
ranked by local government area (top 10)**

Local Government	Value (A\$)
Brisbane City	2,151,241,918
Gold Coast	643,018,640
Moreton Bay	113,996,595
Logan	90,851,256
Bundaberg	81,344,953
Isaac	59,580,343
Toowoomba	57,264,666
Whitsunday	47,820,393
Noosa	46,286,893
Sunshine Coast	38,513,876

*Approximate areas only

**2. Total area foreign owned - ranked by local
government area (top 10) as at 30/6/18***

Local Government	Area (ha)
Bulloo	1,399,880
Barcoo	1,334,050
Diamantina	1,177,570
Boulia	1,036,710
Mareeba	580,940
Carpentaria	486,960
Cloncurry	482,860
Quilpie	477,900
Burke	471,390
Croydon	406,000

**3. Total land parcels with some level of
foreign ownership - ranked by local
government area (top 10) as at 30/6/18**

Local Government	Number
Brisbane City	10,433
Gold Coast	9,245
Isaac	3,411
Cassowary Coast	2,139
Central Highlands	1,643
Cairns	1,014
Sunshine Coast	969
Moreton Bay	944
Ipswich	817
Bundaberg	808

ATTACHMENT A - Definitions

Interest in land*

-includes an estate or interest

- In freehold land
- In state leasehold land
- In a licence or permit granted under the *Land Act 1994*
- Of a lessee of freehold land or a sublessee of leasehold land where the term including all options exceeds 25 years

*Interest in land is defined in Schedule 1 of the *Foreign Ownership of Land Register Act 1988*

Foreigner

“Foreigner” is a general term applied to Foreign Persons or other entities as referred to in the *Foreign Ownership of Land Register Act 1988*.

Foreign Person*

-includes but is not limited to

- An individual who is not an Australian citizen, and whose presence in Australia is subject to a time limitation imposed by law or is not domiciled in Australia (*foreign natural person*)
- A body that is formed outside Australia and its external territories (*foreign corporation*)
- A corporation in which a foreign natural person or a foreign corporation holds a controlling interest
- A corporation in which two or more persons, each of whom is either a foreign natural person or a foreign corporation, hold an aggregate controlling interest

*Foreign Person is defined in Schedule 1 of the *Foreign Ownership of Land Register Act 1988*.

ATTACHMENT B – Methodology

The information contained within the Foreign Ownership of Land Register is collected as a part of the standard conveyancing and title transfer process in Queensland.

The reporting is based on notifications received by the Registrar of Titles under the Queensland *Foreign Ownership of Land Register Act 1988* (FOLRA). It is the responsibility of the foreign person or corporation to ensure they meet their obligations under the FOLRA. Information relating to land use of foreign owned properties is not recorded in this register.

The data in this report was extracted from the Foreign Ownership of Land Register covering transactions lodged for the 2017/2018 financial year.

In accordance with the definition for 'Interest in land' in Attachment A, land that has been included in this report includes an estate or interest:

- in freehold land
- in state leasehold land
- in a licence or permit granted under the *Land Act 1994*
- of a lessee of freehold land or a sublessee of leasehold land where the term including all options exceeds 25 years.

The size of land parcels as presented in this report has been sourced from the Department of Natural Resources, Mines and Energy's Digital Cadastral Database reflecting survey plan data.

The calculation for the Queensland area (as a whole) (173,064,800 ha) is based on data provided by Geoscience Australia. The data is nationally uniform and is the most authoritative data source currently available to calculate the entire area of Queensland.

In this report, the land size is apportioned according to the percentage of internationality of the persons or corporation that holds the interest in the land. To illustrate, five scenarios are provided below with different types of foreign ownership.

- Scenario 1** 100,000 ha owned in five equal shares with one of the shares being held by a foreign person – recorded in the register as 20,000 ha foreign owned.
- Scenario 2** 100,000 ha wholly owned by a corporation, in which a 50% stake is held by three foreign people, and a 50% stake is held by Australians – recorded in the register as 50,000 ha foreign owned.
- Scenario 3** 100,000 ha wholly owned by a corporation, in which a 20% stake is held by ten foreign people, and an 80% stake held by Australians – recorded in the register as 20,000 ha foreign owned.
- Scenario 4** 100,000 ha wholly owned by a corporation registered in Australia but 100% foreign controlled – recorded in the register as 100,000 ha foreign owned.
- Scenario 5** 100,000 ha wholly owned by a corporation in which a 25% stake is held by a foreign owner and the remaining 75% stake is held by five Australian owners each with a 15% share in the corporation, meaning the foreign owner holds a controlling interest in terms of the FOLRA – recorded in the register as 25,000 ha foreign owned.

Scenarios demonstrating the different apportionment applied depending on the level of foreign ownership in the Queensland Report.

NOTE – these are examples only and should not be used as a basis for the calculation of reporting requirements by corporations or individuals