*Entities may use this form for internal purposes when seeking authorisation of an acquisition by agreement of freehold land under section 40 of the LAA.*

*This form must be used when seeking action from a delegate within the Department of Finance to either authorise the acquisition of the interest in land (in cases where an entity does not hold the delegation) or certify that the acquisition would amount to a standard commercial transaction under s 40(6) of the LAA, and would therefore fall within the definition of ‘available in the market’ under s 40(5) of the LAA. If Finance action is required, this form should be emailed to* *LAA@finance.gov.au* *with appropriate supporting documentation.*

|  |  |
| --- | --- |
| 1. **Acquiring authority (entity)**
 |       |
| 1. **Contact officer and contact details**
 |       |
| 1. **Proposed transaction:**
 | [ ]  Purchase of Land [ ]  Purchase of Land and Buildings [ ] Other \_\_\_\_\_\_\_\_\_\_\_*(If "Other" details must be provided at section 13)* |
| 1. **Availability of interest to be acquired**

*(refer to s 40(5) of the LAA)* | [ ]  advertised as available for sale or listed with a real estate agent[ ]  offered in response to a public advertisement[ ]  requires certification by the Minister for Finance or delegate as interest is not ‘available in the market’ *(include further details at section 13)*  |
| 1. **Property address**
 |       |
| 1. **Legal description**

*(e.g. Lot, Deposited Plan, Parish and County)* |       |
| 1. **Area in hectares**
 |       |
| 1. **Purchase price (AUD)**
 | $      [ ]  all inclusive, or [ ]  plus costs |
| 1. **Public purpose**

*(refer to Constitutional heads of power e.g. ‘Defence’ or ‘Customs’)*  |       |
| 1. **Proposed use**

*(Describe the proposed use in plain English)*  |       |
| 1. **Name and address of vendor**
 |       |
| 1. **Name and address of vendor’s agent or legal representation**
 |       |
| 1. **Additional information**
 | *[Include any additional information in this section which is relevant to the delegate in considering the proposed acquisition. This information could include, but is not limited to:* * *other key transaction terms*
* *property specific details*
* *details of any non-financial benefits the owner may be receiving as a result of the proposed transaction*
* *details of any legal advice the entity has received to support the determination that the transaction is a standard commercial transaction.*
* *whether the Commonwealth has offered to pay reasonable legal or other expert costs)]*
 |
| 1. **Declaration**
 | In requesting the delegate’s certification and/or authorisation of the acquisition of an interest in land, I certify: * the details in this form are true and correct; and
* the proposed transaction is in accordance with the requirements of the *Public Governance, Performance and Accountability Act 2013*.

**Name:****Position:****Signature:**Authorised officer within entity**Date: / /** |

1. **Action by delegate**

***[FOR DEPARTMENT OF FINANCE USE ONLY]***

**CERTIFICATION UNDER S40(6) OF THE LAA**

I am satisfied that this transaction amounts to a normal commercial transaction between parties dealing with each other on equal terms, and therefore certify that the acquisition be a standard commercial transaction under section 40(6) of the *Lands Acquisition Act 1989* for the reasons listed below.

**Name:**

**Position details:**

**Delegate of the Minister for Finance**

 / /

**AUTHORISATION OF ACQUISITION BY AGREEMENT UNDER S40(1) OF THE LAA**

I authorise this acquisition by agreement under section 40(1) of *Lands Acquisition Act 1989*.

**Name:**

**Position details:** *[as specified in the Lands Acquisition Delegation instrument]*

**Delegate of the Minister for Finance**  / /

***[FOR DEPARTMENT OF FINANCE USE ONLY]***

**REASONS FOR S40(6) CERTIFICATION**

*[Delegate to complete for certification ONLY, not required for s40(1) authorisation]*