

Guide for Business Applicants

New Brunswick Provincial Nominee Program

The *Guide for Business Applicants* explains how you may apply to the Business Applicant category of the New Brunswick Provincial Nominee Program (NBPNP).

Instructions for completing your application are included in this guide. Forms are available for download on our website at www.gnb.ca/immigration.

Program criteria may change without notice. Your application will be assessed according to the criteria in place at the time you are assigned an NBPNP application number. Consult our web site to make sure you have the current version of this guide and application forms.

You are not required to use the services of an immigration representative. No priority or special consideration is given to applications prepared by an immigration representative.

If you, or someone acting on your behalf directly or indirectly misrepresents or withholds material facts relating to your application for permanent residence in Canada your application will be refused. We routinely check with reliable sources to verify whether information provided and documents submitted are genuine.

This Guide is provided free of charge by the Government of New Brunswick and is not to be sold.

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Contact Information

Mailing Address for all correspondence and submission of documents:

Post-Secondary Education Training and Labour
Population Growth Division, Immigration Branch
New Brunswick Provincial Nominee Program
500 Beaverbrook Court, 5th Floor, Suite 500
P.O. Box 6000, Fredericton, New Brunswick, Canada E3B 5H1

Telephone: 001 (506) 453-3981
Fax: 001 (506) 444-6729
E-mail: immigration@gnb.ca
Web site: www.gnb.ca/immigration

Business Hours:

Monday to Friday, 8:15AM – 4:30PM Atlantic Standard Time (AST)
Closed Saturday, Sunday and statutory holidays

The NBPNP does not respond to inquiries about an application status.

Introduction

The NBNP is a provincial immigration program made possible through an agreement with the Government of Canada. As an economic program, the NBNP selects, and nominates, qualified business people from around the world who will own and actively manage a business that contributes to the New Brunswick economy and may create jobs.

Immigration Program Officers review applications based on eligibility requirements and selection factors. You must meet eligibility requirements. You should also be aware that meeting the eligibility requirements does not guarantee nomination. Priority will be given to Applicants who have the greatest potential to become economically established in New Brunswick. To determine if you meet the requirements of the Program, carefully review the information in this Guide before submitting your application.

Decisions on applications are final. There is no appeal process in the event you are refused. If you are unsuccessful, you may reapply two years from notice that your application has been refused, providing your situation changes substantially and you have new information to submit. You also have the option to apply to Citizenship and Immigration Canada (CIC) immigration programs with New Brunswick as your destination.

If you are nominated by the NBNP your application is forwarded to a CIC visa office for further evaluation and final decision on permanent resident status. Final decisions on permanent resident visas are the sole responsibility of CIC. You must meet all Canadian immigration regulations including a medical examination and security and criminal checks. You should not make final travel arrangements, dispose of property (personal or business), or give up your job until you receive a permanent resident visa.

A nomination decision does not guarantee the issuance of a permanent resident visa. Your nomination may be withdrawn, by the NBNP, at any time prior to the issuance of a permanent resident visa. Reasons for which the NBNP may withdraw a nomination include, but are not limited to the following:

- The NBNP is no longer satisfied that you meet the requirements under which you were nominated.
- The NBNP being advised that information in your immigration application is false or misleading.
- You do not intend to reside in New Brunswick.

Applications are not accepted from applicants who:

- Have an application in process under another immigration program in Canada.
- Are not lawfully residing in their country of residence at the time an application is received at the NBNP Office. (Proof of lawful residence is required.)
- Have an unresolved humanitarian and compassionate claim in Canada.
- Are failed humanitarian and compassionate claimants living in Canada.
- Have an unresolved refugee claim in Canada.
- Are failed refugee claimants living in Canada.
- Are under a removal order in Canada.
- Are prohibited from entering Canada.
- Are engaged in full-time post secondary education.

If you are living in Canada during the NBNP application process it is your responsibility to maintain your legal immigration status.

If you have been refused under another provincial or federal immigration program you must advise the NBNP and provide copies of all relevant correspondence. The correspondence must include sufficient information to allow the Immigration Program officer to evaluate the reasons for your refusal. Failure to notify the NBNP will result in your refusal.

Eligibility Requirements

As a Business Applicant:

You are between 22 and 55 years of age. Your age is assessed as of the day your application for permanent residence is received at the NBNP Office and you are assigned an NBNP application number.

You have sufficient English and, or French language ability to actively manage a business in New Brunswick. To obtain an objective assessment of your language ability you may be asked to submit an International English Language Testing System General Training (IELTS) or a Test d'Evaluation de Français (TEF). You can use language test results for two years from the time you took the test.

You have, at a minimum, been awarded a high school diploma for education completed after junior/middle school and before college, university and other formal training.

You will live, and operate a business in New Brunswick. You must assume day-to-day management role in the business.

You have relevant and proven management experience in three of the last five years. You must demonstrate prior management experience in the private sector. As a business owner or senior manager you must have significant decision-making responsibility. There must be a link between your management experience and the skills needed to operate your business in New Brunswick.

You demonstrate an understanding of the business environment in New Brunswick. You must gain knowledge of the New Brunswick business environment during your business trip.

You will prepare a business plan of economic benefit to New Brunswick. Your business plan must be approved by an official of the Government of New Brunswick.

You have a personal net worth of at least \$300,000 CAD. Personal net worth is defined as the value of total assets, less the value of total liabilities. You must have sufficient funds to start the business and provide for the successful settlement and support of dependent family members for up to two years without third party assistance. The actual amount of funds required by the NBNP will depend upon the planned business venture in New Brunswick.

You will submit all required forms and supporting documents. If documents provided in support of Selection Factors are missing, incomplete or not able to be verified you will receive a "0" score for that selection factor. Immigration Program Officers have a right to request additional information at any time.

You will submit a signed copy of the Deposit Agreement and a conditionally refundable deposit of \$75,000 CAD, prior to nomination. The Deposit Agreement specifies the terms and conditions of your agreement to make a financial investment in a business in New Brunswick.

You score a minimum of 50 points in the selection factors.

Selection Factors

If all eligibility criteria have been met and your business plan has been approved, you will be assessed according to selection criteria for five factors: age, language skills, education, adaptability and business experience. A minimum of 50 points is required.

If documents provided in support of selection factors are missing, incomplete or not able to be verified you will receive a “0” score for that selection factor.

1. AGE

You are between the ages of 22 and 55. Your age is assessed as of the day your application for permanent residence is received at the NBNP Office and you are assigned an NBNP application number.

Age	22-24	25-55
Points	5	10
SCORE (Maximum 10 points)		

2. LANGUAGE

Scoring is based on your ability to speak, read and write English and/or French. If you cannot speak, read and write either English or French, or both, at a basic level you will be refused.

Skill	Speaking Ability	English	French
Advanced	Operational command of the language with only occasional inaccuracies	9	9
Intermediate	Effective command of the language despite some inaccuracies and misunderstandings	7	7
Basic	Partial competence in familiar situations.	4	4
SCORE (Maximum 15 points)			

3. EDUCATION

Level completed	Requirements	Points
Secondary education	High school diploma awarded after junior/middle school and before college, university or other formal training.	10
Post-secondary education	<ul style="list-style-type: none"> Academic degree awarded by a college or university to those who complete an undergraduate curriculum that required at least three years full-time study. Diploma completed in a specific trade that required at least two years full-time study. 	15
Post-graduate education	<ul style="list-style-type: none"> Master’s degree awarded by a graduate school of a college or university, after you have completed a Bachelor’s degree. Doctorate degree awarded based on at least three years of graduate studies and a thesis, after you have completed a Master’s degree. 	18
SCORE (Maximum 18 points)		

4. ADAPTABILITY

You must demonstrate your genuine intention to settle in New Brunswick.

Family Living in New Brunswick	Applicant, or spouse/common-law partner, has a son, daughter, brother, sister, mother, father, child, grandparent, aunt, uncle, niece or nephew living in New Brunswick as a Canadian citizen or permanent resident	10	
Education in New Brunswick	Applicant completed at least one year of post-secondary education in NB	5	
	Applicant completed at least two years of post-secondary education in NB	10	
Employment in New Brunswick	Applicant worked for at least one of the last five years in NB	5	
	Applicant worked for at least two of the last five years in NB	10	
	Spouse has worked for at least six months in the last calendar year in NB	5	
Knowledge of Business in New Brunswick	Applicant demonstrates knowledge of business as evidenced during the interview, in the business plan and other documents	1-10	
SCORE (Maximum 25 points)			

5. MANAGEMENT EXPERIENCE

Years of Experience	You will be assessed on the number of years you have owned a business or worked as a senior manager in a business during the last five years.			
<i>If experience is not directly related to the intended business plan in New Brunswick, only half the points are awarded.</i>	Years	2 years	3 years	4 years
	Points	4	8	10
Management Experience	You will be assessed on your management experience during the last five years.			
Key areas of responsibility	Finance		2	
	Sales and marketing		2	
	Human resources		2	
	Operations		2	
Full-time employees supervised	10, or more		4	
	9, or less		2	
Authority for decisions	Business owner		6	
	Senior Manager		4	
SCORE (Maximum 25 points)				

YOUR TOTAL SCORE

Business Trip to New Brunswick

As a first step toward nomination under the NBNPN, you are required to make at least one business trip to New Brunswick prior to submitting an immigration application. The purpose of the business trip is to gain knowledge of the New Brunswick business environment.

The business trip must be for a minimum of five full business days. Travel to and from New Brunswick, interview days and statutory holidays must not be included in the five days. (For details on statutory holidays visit: www.gnb.ca/0370/0370/0007/index-e.asp.)

During the business trip you must conduct extensive research. Suggestions for business meetings include, but are not limited to:

- New Brunswick business owners
- Regional economic development officers
- Chamber of Commerce officials
- Industry association officials
- Commercial bankers
- Commercial and/or residential real estate agents
- Business brokers
- Accountants that provide advice on business organizations, evaluations, book keeping and taxation
- Legal counsel that provides assistance with legal transfers, purchase agreements, etc.
- New Brunswick based ethnic and cultural associations

Following the business trip, you must participate in an interview with an NBNPN Official. Business topics to be discussed during the interview include, but are not limited to: identification of business opportunities, labour requirements, business regulations, competition, suppliers, customers, location, market trends, business customs, marketing, advertising, taxes and financials.

You must complete your business trip in New Brunswick and your interview with an NBNPN official within one year of the date on your Notice of Interview.

Interview in New Brunswick

The purpose of the interview is to evaluate:

- Your ability to speak, listen and understand in English or French
- Your previous management experience
- Your understanding of business in New Brunswick
- Your overall suitability to become economically established in New Brunswick.
- Other topics relevant to your immigration application.

Only the principal applicant and dependant family members listed in *Requesting a Business Trip Form (NBNPN-006)* will be permitted in the interview. Immigration representatives and interpreters are not permitted.

Business Plan Requirements

A business plan is a written document that explains how the business will operate. It is your responsibility to create and develop a business plan as part of your application.

You have three options when considering a business in New Brunswick:

1. Purchase an existing business
2. Enter into a partnership with a New Brunswick entrepreneur
3. Start a new business

You must control a minimum percentage of equity in the qualifying business, equal to or greater than 33.33%.

Business Resources

Immigration Officers do not provide advice on specific businesses.

There are many helpful websites to help with the development of your business plan, including:

Bizpal www.snb.ca/bizpal

Business New Brunswick www.gnb.ca/0398

Canada Business www.canadabusiness.ca/nb

Canada One www.canadaone.com

Community Business Development Corporation
www.cbdc.ca

Enterprise Network www.enterprise-entreprise.ca

NBJobs.ca www.nbjobs.ca

Service New Brunswick www.snb.ca

Service Canada Job Bank www.jobbank.gc.ca

Department of Tourism and Parks www.gnb.ca/0397

Guides for Starting a Business are available at:

[http://www.welcomenb.ca/content/wel-bien/en/immigrating_and_settling.html#tab Business](http://www.welcomenb.ca/content/wel-bien/en/immigrating_and_settling.html#tab_Business).

In partnership with Regional Economic Development Agencies and local Chambers of Commerce, the Government of New Brunswick has funded the Business Immigrant Mentorship Program. The program pairs immigrant entrepreneurs with entrepreneurs experienced in doing business in New Brunswick. For more information visit:

[http://www.welcomenb.ca/content/wel-bien/en/immigrating_and_settling.html#tab Business](http://www.welcomenb.ca/content/wel-bien/en/immigrating_and_settling.html#tab_Business)

Conditionally Refundable Deposit

A conditionally refundable deposit of \$75,000 CAD is required as a guarantee of your intention to operate a business in New Brunswick. The deposit may be refunded to you, providing:

- You meet the requirements of the Deposit Agreement.
- You and your dependent family members have been granted permanent resident status by CIC
- You and your dependent family members are permanent residents of New Brunswick.
- Your business is established within two years of landing in Canada.
- Your business is registered or incorporated.
- You provide proof that a minimum \$125,000 CAD business investment has been made.
- You have assumed a day-to-day managerial role in the business.
- Your business has been operating for one year.
- If applicable, a partnership agreement has been duly finalized and signed by all parties.

A portion of the refundable deposit to a maximum of \$30,000 CAD may be refunded to you, providing you meet the requirements listed above, with the exception that you must provide proof of a minimum \$65,000 CAD business investment.

In the event that you are unable to establish a Business within two years of the date you land in Canada, you may make a written request to NBNP for an extension of time. Such a request must be made at least 30 days prior to the two year anniversary of landing in Canada. NBNP Officers shall consider the request, but are not obliged to grant any extension.

If you wish to develop and operate a business other than the business described in the original business plan, you may submit a written request with an alternate business plan. NBNP Officers will consider the request but are under no obligation to consent to an alternate business plan.

In the event you fail to operate an approved business within two years of the date you land in Canada, the Province of New Brunswick will retain the deposit. In the event that you are not granted a Permanent Resident Visa, the Deposit, without interest, will be refunded to you.

Business Investment

You must be prepared to invest at least \$125,000 CAD in a business in New Brunswick. Eligible investments include:

- Purchase of land and/or building for business purposes. Appropriate zoning must be in place.
- Expenses for business property or leasehold improvements.
- Moving costs for devices, equipment and goods required for business operation.
- Purchase of manufacturing equipment.
- Purchase of raw materials, components and/or supplies.
- Purchase of tools and devices required to conduct business activity.
- Purchase of furniture and equipment required to operate a business in the hospitality sector.
- Purchase of a vehicle that is primarily used for business purposes. The amount must be pro-rated to reflect actual business use and a log similar to that used for income tax purposes is required.
- Purchase of office equipment, computers and similar equipment.
- Expenses for professional services in connection with establishing the business.
- Expenses for marketing and promotions.
- Purchase of initial inventory.
- Intellectual property.
- Home based business ventures up to 10% of the total home purchase price, to a maximum of \$ 20,000 CAD. This includes home improvements and renovations.

Application Process

STEP #1 REQUEST A BUSINESS TRIP TO NEW BRUNSWICK

You must submit your request for a Business trip to New Brunswick. Details can be found in *Request a Business Trip (NBNP-006)*. Your forms and documents will be assessed by representatives from Population Growth Division. Following a positive decision you will be required to make a business trip to New Brunswick.

STEP #2 ORGANIZE AND PARTICIPATE IN A BUSINESS TRIP TO NEW BRUNSWICK

You are responsible for developing your travel itinerary and booking appointments in New Brunswick.

If you need a Temporary Resident Visa (TRV) the NBNP will issue a Notice of Appointment letter. The letter will be mailed directly to you or your representative. When making application for a Temporary Resident Visa to CIC you should include this letter. Granting of Temporary Resident Visas is the responsibility of CIC. (You must obtain a TRV, if applicable, prior to requesting an interview.)

STEP #3 PARTICIPATE IN AN INTERVIEW WITH AN IMMIGRATION PROGRAM OFFICER

It is your responsibility to request the interview in advance of your planned visit. All requests for interviews should be sent to immigration@qnb.ca. Requests for certain dates or periods of time will be considered, but not guaranteed. All interviews will be conducted at the Population Growth Division office located in Fredericton, New Brunswick. If you are unable to accept the interview date, or you miss the interview date you may be refused.

At the beginning of the interview you must submit a “draft” copy of the *Business Trip Report (NBNP-009)* detailing the research you conducted during your visit to New Brunswick. The template for this report is available at www.qnb.ca/immigration.

You will receive written notification of the NBNP decision within four weeks.

STEP #4 SUBMIT YOUR IMMIGRATION APPLICATION TO THE NBNP

If you are asked to submit an application for permanent residence, by the NBNP, you must include the NBNP forms and supporting documents and one copy of the federal immigration forms and supporting documents. Use the *Checklist for Business Applicants (NBNP-DCBA)* to verify that you have the required forms and documents.

Documentation submitted with your application will not be returned. You should obtain multiple originals of any documentation submitted with your application (such as reference letters, police certificates) so you are prepared if you need to submit a new application. You must keep a copy of the completed forms and supporting documents.

Applications must be received, by the NBNP, within six months of the interview date.

The NBNP may request additional information at any time during the application process to assess your application.

STEP #5 COMPLETE THE DEPOSIT AGREEMENT PROCESS

Upon receiving written notification from the NBNP that your application has been approved, you must:

- Submit a completed deposit agreement.
- Choose a method of payment and submit a *Method of Payment Form*.
- Submit a deposit by bank draft or wire transfer.

STEP #6 SUBMIT YOUR IMMIGRATION APPLICATION TO CIC

If nominated, you will submit the **original** copy of the CIC application to the Centralized Intake Office in Sydney, Nova Scotia, Canada. You must submit the application with the validity date written on the Confirmation of Nomination. Upon receiving favorable results, Citizenship and Immigration Canada will issue your permanent residence visa.

STEP #7 SETTLE IN NEW BRUNSWICK AND CONTACT THE NBNP

Within 30 days of landing in Canada, you must notify the NBNP of your address and telephone number in New Brunswick.

STEP #8 ESTABLISH YOUR BUSINESS

Establish your business and fulfill the investment requirements as outlined in the Deposit Agreement. Until the business is established you must provide bi-annual updates on the status of your business.

STEP #9 APPLY FOR A REFUND

The NBNP, upon being satisfied that you have fulfilled the commitments outlined in the Deposit Agreement, the Deposit will be refunded to you without interest.

Fees

You must pay the CAD \$2,000.00 processing fee charged by NBNP. The NBNP processing fee is **non-refundable** whether your application is approved or not. Attach the processing fees to the *NBNP Fee Payment for Business Applicants (NBNP-011BP)* and submit with your request for a business trip to New Brunswick. The form is available at www.gnb.ca/immigration.

You must pay the processing and right of permanent residence fees charged by CIC. The CIC processing fee is **non-refundable** whether your application is approved or not. You must submit the Fee Payment Form – Application for Permanent Residence (IMM5620). The form is available at: <http://www.cic.gc.ca/english/pdf/kits/forms/IMM5620E.pdf>.

You and your family members must also pay for medical examinations, police clearances, fees associated with language testing and obtaining documents. Other fees may apply.

Immigration Representatives

You do not need to hire an immigration representative to help you with your application to the NBNP. If you follow the instructions on the application guide, you can complete the forms and submit them on your own. All the forms and information that you need to apply for permanent resident status are available for free on our website.

If you choose to hire an immigration representative your application will not be given special attention or receive faster processing. Using an immigration representative will not guarantee approval.

There are two types of immigration representatives: paid and unpaid. If you hire a representative he/she must be a member, in good standing, of one of the following designated bodies:

- Lawyers and paralegals who are members in good standing of a Canadian provincial or territorial law society;
- Notaries who are members in good standing of the Chambre des notaires du Québec; and,
- Immigration consultants who are members in good standing of the Immigration Consultants of Canada Regulatory Council.

If you hire an immigration representative who is not a member of one of the designated bodies listed above your application will be returned to you.

You may use unpaid representatives, such as family members, friends, non-governmental or religious organizations to act on your behalf.

If you wish to use the services of a representative you must complete the Use of a Representative (IMM 5476) form and include it with your application.

To protect your privacy, we will not share any of your personal information with your consultant, lawyer, and other representative unless you have named them in the Use of a Representative (IMM 5476) form.

Remember – even if you hire an immigration representative you are responsible for all the information in your application. If the information on your application is false or misleading, your application will be refused.

As of June 30, 2011, the Immigration Consultants of Canada Regulatory Council (ICCRC) is the regulator of immigration consultants. Immigration consultants in good standing with the Canadian Society of Immigration Consultants (CSIC) on June 30, 2011, can begin to register with the ICCRC.

For further more information, visit www.cic.gc.ca/english/information/protection/antifraud.asp.