

Guide to the Entrepreneurial Stream

New Brunswick Provincial Nominee Program





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PART 1: Contact information

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New Brunswick Provincial Nominee Program
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Monday to Friday, 8:15 am – 4:30 pm, Atlantic Standard Time (AST)

Closed Saturday and Sunday

Closed on statutory holidays



PART 2: Introduction

The New Brunswick Provincial Nominee Program (NBPNP) Entrepreneurial Stream is an economic immigration program for experienced entrepreneurs who are ready to establish, operate and actively manage a business while living and settling in New Brunswick permanently.

The NBPNP, administered by the Department of Post-Secondary Education, Training and Labour (“the Department”), allows the Government of New Brunswick to nominate individuals with the greatest ability to become economically established in New Brunswick. This stream is not intended for family reunification, protected persons or for humanitarian and compassionate reasons.

The Guide to the Entrepreneurial Stream (“Guide”) provides comprehensive information about the NBPNP Entrepreneurial Stream. To learn more about program requirements and to determine your eligibility, review this guide before contacting the department.

The graphic on the right provides an overview of the stages for achieving permanent residence and settling in New Brunswick through the NBPNP Entrepreneurial Stream. You will notice that the Department is involved in five of the six stages. Stage five, applying for and receiving permanent residence, is the responsibility of the Government of Canada through the Department of Immigration Refugees and Citizenship Canada (“IRCC”). Details about these steps are outlined in this Guide.

Section 87(1) of the *Immigration and Refugee Protection Regulations (IRPR)*, SOR/2002-227, establishes the provincial nominee class “as a class of persons who may become permanent residents on the basis of their ability to become economically established in Canada.” Under subsection 8(1) of the *Immigration and Refugee Protection Act (IRPA)* and subsection 5(1) of the *Department of Citizenship and Immigration Act, 1994, c-31*, the Provincial Nominee Program operates under individual agreements between the federal government and each provincial-territorial government.



The provincial government administers the New Brunswick Provincial Nominee Program in partnership with the federal government, as represented by the Department of Immigration, Refugees and Citizenship Canada (IRCC) in accordance with the 2017 *Canada-New Brunswick Immigration Agreement (CNBIA)*. IRCC and the Department of Post-Secondary Education, Training and Labour (“the Department”) have outlined their respective roles and responsibilities in the agreement. Specifically, the Department is responsible for:

- program design;
- establishing the eligibility requirements for programs;
- promoting the NBNP;
- recruiting qualified applicants;
- nominating immigrants destined to New Brunswick based on their ability to become established economically in New Brunswick, and their genuine intention to live in New Brunswick; and
- monitoring, evaluating and reporting on the NBNP.

The Government of Canada is responsible for ensuring that applicants admitted under the Provincial Nominee Programs meet the requirements of membership in the economic class as provided under the IRPR, and that they are assessed for nomination using criteria designed to determine their eligibility for consideration in the economic class, and making the final selection and admissibility decisions and issuing visas.

Business active management is a mandatory requirement of the Entrepreneurial Stream as set out in the Immigration and Refugee Protection Regulations (IRPR), Section 87(6) (c). It is the responsibility of all candidates to prove a genuine intention to reside in New Brunswick as described in Section 87(2) (b) of the Immigration Refugee Protection Act, S C 2001, c 27, Regulations which state that “a foreign national is a member of the nominee class if they intend to reside in the province that nominated them.”



PART 3: Terms and conditions

You must be fully aware of the following terms and conditions of the Entrepreneurial Stream before you submit an Expression of Interest (EOI) and/or application.

All forms for the Entrepreneurial Stream are available at: www.welcomenb.ca.

1. Preparing a complete application

Your application package is complete when you have answered all of the questions on the application form and submitted all the necessary documents along with your application. It shall be processed if:

- the application is made in the form and order as outlined in the [NBPNP Entrepreneurial Stream Document Checklist \(NB-002ES\)](#).

Document checklist;

- the required forms and documents are completed, signed, dated and notarized (as applicable); and
- processing fees are included and have been paid by VISA, MasterCard or American Express through Service New Brunswick (SNB).

All applications received are checked upfront for completeness, and when the Department receives an incomplete application, it will return the entire application package with a notice letter indicating what information or document is missing. You may resubmit the application (with the updated information/documents), or you may request to withdraw your application and have your processing fees refunded.

Once an application is reviewed for completeness, it will be assessed according to the program eligibility requirements. From this point, processing fees will not be refunded and your application (in whole or in part) will not be returned to you.

You should obtain multiple originals of any document(s) submitted with your application, including reference letters from employers, language test results, educational credential assessments, police certificates, etc. If a photocopy is requested, do not send originals because they will not be returned.

2. Accepting your application

The availability of NBPNP streams and categories depends on the volume of applications. The Department reserves the right to close EOI and application intake for any stream or category at any time, without prior notice. Further, the Department may decline to consider applications, and may close or suspended streams or categories, regardless of when applications were submitted. Notice of suspension or closure of streams and categories is available at: www.welcomenb.ca.

3. Lock-in date for applications

The “lock-in” date is considered to be the date that a completed application is received and date-stamped by the Department; and when the department assigns an application number.

The date you sign the application is not the date on which the application is determined to be complete and accepted for processing. Where the date on an application is more than three months old (90 calendar days) when received (stale-dated), or where the date is a date in the future (post-dated), the application will be treated as if unsigned.

If any required forms in your application are unsigned, your application will be considered incomplete and will be returned to you.

4. Processing Your Expression of Interest (EOI) and/ or Your Application

EOIs and Applications will be processed (or assessed) according to the following factors: application volumes, completeness of individual applications, business trends, economic forecasting and any other factors as determined by the Department.

Priority processing will be given to applicants who have the greatest ability to become established economically in New Brunswick, as determined by the Department.

Advising the department of changes in your application

You must notify the Department, in writing, of any changes in your life circumstances including but not limited to: family composition, marital status, country of residence, employment, contact information, etc. You must use the [Request to Amend Details of Your Application Form \(NB-010\)](#).

Failure to notify the Department of any changes may result in the refusal of your application.

5. Withdrawing your application

If you wish to withdraw your application voluntarily prior to receiving a final decision, you must advise the Department in writing by completing and submitting The [Request to Withdraw Your NBNP Application Form \(NB-011\)](#) Other than in the case of suspected or actual misrepresentation, applicants may voluntarily withdraw their application at any time without penalty. However, processing fees will not be returned.

6. Reasons why the Department will not accept your application

For example:

- you are a passive investor (i.e., an individual who intends to invest in a business in New Brunswick with limited or no involvement in the day-to-day management of the business);
- you have an active application in process through another immigration program in Canada;
- you have been refused by another immigration program in Canada for misrepresentation on your application;
- you have not been lawfully admitted to your current country of residence;
- you are not lawfully residing in your current country of residence;
- you are working in Canada without authorization;
- you are living in Canada and are out of legal status, and you have not applied for restoration of status within 90 days from the date of the IRCC refusal notice;
- you are prohibited from entering Canada;
- you are under a removal order inside or outside Canada;
- you have an unresolved humanitarian and compassionate claim in Canada, or are a failed humanitarian and compassionate claimant living in Canada;



- you have an unresolved refugee claim in Canada, or are a failed refugee claimant living in Canada;
- you have not received an Invitation to Apply (ITA) or your ITA has expired;
- the name on the ITA does not match the name of the Principal Applicant named in the application;
- you have retained a representative who does not meet the terms and conditions for a representative as described in the Guide;
- in the five years immediately prior to submitting an application to the Department, you misrepresented or intentionally withheld material facts relating to a relevant matter that causes or could cause the Department to make an error in the processing (or assessing) of your application or the decision to issue a Certificate of Nomination;
- you have an active application registered with the Department; or any other factors as determined by the Department.

7. Refusing your application

If your application is refused, you will receive a “letter of refusal” from the Department. There is no appeal process for refused applications.

8. Requests for information from the Department

The Department may request additional evidence and information as reasonably required to verify and process (or assess) your EOI, application and/or business plan; and failure to provide such information in a timely manner shall result in the refusal of your application.

9. Participating in interviews

The Department may require you to participate in an interview to verify information related to your application and/or business plan, or any other reason to be disclosed at the time of the request. The interview shall be held in English and/or French, the choice is yours. Interpreters are not permitted during the interview. The format of the interview, which may be web-based or face-to-face, location and time shall be determined by the Department. Failure to attend your scheduled interview may result in the refusal of your application.

10. Issuance of an NBNP Certificate of Nomination

- The decision to issue a Certificate of Nomination shall be at the sole discretion of the Department; and
- the Department shall rely on the information contained in your EOI and application in issuing the Certificate of Nomination; and
- the Certificate of Nomination shall be valid for six months from the date of issuance ; and
- the offering of a Certificate of Nomination does not constitute any endorsement or sanction of the merits, feasibility and investment potential or commercial viability of a business in New Brunswick; and
- the department discourages individuals from making any business investment in the Province prior to receiving Permanent Resident status; and
- the issuance of a Certificate of Nomination is just one of a number of requirements for immigration to Canada. The final decision regarding admission to Canada as a permanent resident will be made by IRCC; and does not guarantee the issuance of a Permanent Resident visa.

11. Amending a Certificate of Nomination

The Department shall consider amending a Certificate of Nomination. If the certificate must be revised or additional time is required to submit an application for permanent residence to IRCC providing you give sufficient reason(s) and verifiable supporting documents; you must make a written request to amend the certificate prior to the expiry date on the current certificate by completing and submitting the following form: [Request to Amend the Details of Your Nomination Certificate \(NB-012\)](#)

Failure to submit the written request prior to the expiry date on the current certificate shall result in the withdrawal of the certificate by the Department; a maximum of two amendments shall be issued by the Department; and if granted, the amended Certificate is available for three months from the date of issuance.

12. Withdrawing a Certificate of Nomination

Your Certificate of Nomination will be withdrawn if:

- you fail to comply with the terms and conditions under which you have been selected by the Department;
- you fail to inform the Department of material changes in your circumstances;
- you fail to submit a written request to amend a Certificate of Nomination prior to the expiry date on the current Certificate;
- you provide the Department with false or misleading information relating to a relevant matter that causes or could cause the Department to make an error in the processing (or assessing) of the application, or the decision to issue a Certificate of Nomination;
- it is proven that you lack the genuine intention to live in New Brunswick;
- IRCC finds that you or a dependent family member is inadmissible as defined under sections 33-36 of the *Immigration and Refugee Protection Act*; or
- the Department determines you are ineligible for any other reason.

13. Submitting your application for permanent residence to IRCC

If you are granted a Certificate of Nomination by the Department:

- it is your responsibility to apply directly to IRCC for a Permanent Resident visa within six months of the date of issuance of the Certificate of Nomination;

- IRCC will assess the application based on Canadian immigration law and make the final decision for granting a Permanent Resident visa; and
- the Department is not responsible for any decision made by IRCC to grant or deny Permanent Resident status.

14. Reporting your landing to the Department

If you receive a Permanent Resident visa from IRCC, you must report your landing, in writing, to the Department within 30 days of the landing date in Canada using the [Report Your Landing Form \(NB-013ES\)](#)

15. Committing misrepresentation

You and/or any person involved with your application, who has misrepresented or intentionally withheld material facts relating to a relevant matter that causes or could cause the Department to make an error in the processing (or assessing) of your application, or in the decision to issue a Certificate of Nomination, must:

- be refused for misrepresentation, regardless of their ability to meet any or all of the eligibility requirements; and
- be excluded from submitting an EOI or application, or otherwise apply for immigration through the NBNP for five years from the date of issuance of the refusal letter issued by the Department.

16. Non-compliance with the terms and conditions of the business performance agreement

The Department must report all cases of non-compliance to IRCC when you as an applicant fail to:

- report your landing date within 30 days of landing in Canada;
- participate in post-landing face-to-face meetings in New Brunswick with Department officials as described in this guide;
- establish a business within two years of the landing date in Canada;
- operate the business for a minimum of one year; and
- comply with the terms and conditions set out in the signed and dated Business Performance Agreement.



PART 4: Using a representative

You are not required to use a paid or unpaid representative to apply for immigration through the NBNP. If you follow the instructions in the Guide, you can complete the forms, collect the required documents 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.

The Department assesses all EOIs and applications equally, regardless of whether they were prepared with the assistance of a representative. Applications will not receive special attention, faster processing, or a more favourable outcome if they are submitted using the services of a representative.

If you decide to use a paid representative, you must submit your EOI and application through a representative designated by the Department of Post- Secondary Education, Training and Labour. If an EOI or application is received from an immigration representative whom has not been designated by the province it will be returned. Find the list here: [designated representatives](#).

The *Immigration and Refugee Protection Act (IRPA)*, section 91(2), restricts payment for representation or advice to specific groups.

If you wish to use the services of a representative, you must complete the [Use of a Representative Form \(NB-007\)](#) and include it with your application.

You are responsible for all the information in your application even if your representative completes it for you. If the information on your application is false or misleading, your application will be refused. For more information visit:

- Government of Canada – Learn about Representatives:
www.cic.gc.ca/english/information/representative/rep-who.asp

Uncompensated (unpaid) representatives or third parties

You may use the services of unpaid representatives, such as family members, friends and other third parties who do not charge a fee. They may provide the same services as paid representatives, but they do it for free.

If your uncompensated representative or third party is found by the Department to have charged fees for, or otherwise benefited from acting as your representative, the Department will revoke such person's eligibility to serve as your representative and will refuse your application.

Changing or cancelling representatives

You may only have one representative named in your application at any given time. If you change or cancel your paid or unpaid representative, you must provide notification to the Department by submitting a revised [Use of Representative Form \(NB-007\)](#). Submitting a revised form will automatically cancel any previously appointed representative. Failure to declare a change in representative will result in the refusal of your application. You are responsible for ensuring your application is updated to reflect any change in representative:

- you have authorized the individual named on the form to represent you and act on your behalf with the Department. This may include representation throughout the EOI, application and assessment processes, and communication with the Department as required, including disclosure of personal and/or confidential information to your representative.
- if your representative enters the EOI and/or application on your behalf, you should review the information provided as you will be legally responsible for the accuracy of its contents;
- at its discretion, the Department may contact you directly to request additional evidence or information to verify information in your EOI, application and/or business plan to determine if you meet or continue to meet all program requirements; and
- correspondence from the Department will be sent to you and your representative. Therefore, it is important for you to include your personal contact information on the application.

PART 5: Processing fees

The Department of Post-Secondary Education, Training and Labour charges fees to recover partially the cost of providing some services to the public. Fees are set to recover as much of the costs of each service as reasonable without imposing undue hardship or affecting access to services.

There is no fee associated with the submission of an EOI (Step 1). You must pay the processing fee of CAD \$2,000 at the time of your application for immigration through the NBNP (Step 3). Your spouse or common-law partner and dependant children are included in the processing fee.

The NBNP processing fee is **non-refundable**.

Proof of payment must be included with the application for the service requested. You will need to complete the [Processing Fee Payment Form \(NB-006\)](#) and include it with your application. Processing fees are payable online by Visa, MasterCard or American Express at www.snb.ca/NBNP.

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 including, but not limited to, language testing, educational credential assessments, net worth verification and document translation.



PART 6: Eligibility requirements

1. Age

You may be awarded up to a maximum of 10 points based your age. You must be between 22-55 years of age. Your age is assessed as of the day that a complete application is submitted to the Department in response to an Invitation to Apply (ITA), and an application number is assigned. Age is not considered as of the date the Department receives your EOI.

2. Language

You may be awarded up to a maximum of 25 points based on your language ability. **You must meet the minimum level of Canadian Language Benchmark (CLB) 5 in English or Niveaux de compétence linguistique canadiens (NCLC) 5 in French in all four language abilities: reading, writing, listening and speaking in the first and second Official Language.**

You must provide valid test results from one of the following designated third party language test providers:

- The International English Language Testing System General: www.ielts.ca/
- The Canadian English Language Proficiency Index Program General: www.celpip.ca
- Test d'Evaluation de Français: www.centredelanguEFRancaise.paris/tests-diplomes/test-evaluation-francais-tef/tef-canada

Age in years	Maximum points
21 or younger	0
22-34	5
35-50	10
51-55	5

For more information about language equivalency:

- Government of Canada (Language test equivalency charts) <http://www.cic.gc.ca/english/resources/tools/language/charts.asp>

Language test results must not be more than 18 months old as of the date an application number is assigned by the Department.

Language	CLB	Reading	Writing	Listening	Speaking	Maximum
First Official Language	CLB 7+	5	5	5	5	20
	CLB 6	4	4	4	4	
	CLB 5	3	3	3	3	
Second Official Language	CLB 5+	5				5

3. Education

You may be awarded up to a maximum of 25 points based on your Canadian educational credential or the value of your foreign educational credential in Canadian standards. **You must have a minimum of two year post- secondary education after high school.**

You must provide either a Canadian educational credential or a foreign educational credential and an Educational Credential Assessment (ECA) report from a designated agency to prove that your overseas diploma, degree or certificate is equivalent to a completed Canadian credential.

Foreign education must be verified by an ECA produced within the last five years prior to the date an application number is assigned by the Department. ECAs are accepted from the following agencies:

- Comparative Education Service – University of Toronto School of Continuing Studies (CES);
- International Credential Assessment Service (ICES);
- International Credential Assessment Service of Canada (ICAS);
- International Qualifications Assessment Service (IQAS);
- Medical Council of Canada;
- The Pharmacy Examining Board of Canada; and,
- World Education Services (WES)

For more information about ECAs:

- Government of Canada (Where can I get an Educational Credential Assessment [ECA]) <http://www.cic.gc.ca/english/helpcentre/answer.asp?qnum=681&top=29>

“Post-secondary education” means full-time studies from a licensed post-secondary institution (a stage of higher education that comes after high school and refers to a college, university or technical school offering programs of study) that leads to obtaining a credential such as a degree or diploma) “Two-years” includes scheduled winter/summer breaks and holidays Language training such as English as a second language will not be considered toward meeting the post-secondary education requirement.

Education – Canadian or equivalent		Points	Maximum points
Post-graduate Master’s degree or PhD	Awarded by a graduate school of a college or university, after completion of a Bachelor’s or Master’s degree.	25	25
Post-secondary academic degree	Awarded by a college or university for completion of an undergraduate curriculum that required at least three years of full-time study.	20	
Post-secondary diploma	Awarded in a specific trade that required at least two years full-time study after high school.	15	

4. Personal net worth

Points are not awarded for meeting the requirements for personal net worth.

“Personal net worth” means value of total assets less the value of total liabilities. It includes all your assets as well as those of your spouse or common-law partner and must be in either or both of your names **You must have a verifiable personal net worth of at least CAD \$600,000 of which CAD \$300,000 must be liquid and unencumbered.** Your personal net worth must be legally obtained and must be verified by a third party professional designated by the Department. You must disclose your full net worth; Inheritances, donations and gifts received less than six months before an application is received by the Department will not be considered eligible towards your net worth.

“Total assets” means cash in current bank accounts; fixed (term) deposits; pensions; publicly traded stocks, bonds and mutual funds; real property and investments in one or more businesses.

“Total liabilities” means mortgages, personal debts and other encumbrances.

Personal net worth (You must be able to answer “yes” to both questions)	Yes	No
CAD \$600,000, or greater in total personal net worth.		
At least CAD \$300,000 of your personal net worth is readily transferable and available and completely unencumbered by debts and/or other obligations.		

5. Business ownership and/or senior management experience

As a business owner you may be awarded up to a maximum of 20 points based on your business ownership.

- You must be the business owner (of at least 33.3%) for at least three out of the last five years; and
- be responsible for supervising at least two employees.

Based on your senior management experience may be awarded up to a maximum of 12 points.

- manage the organization, a department, division, or component of the organization; or an essential function within the organization; and
- the senior manager in a business in five out of the last five years; and
- responsible for supervising at least two employees; and
- have the authority to hire and fire, or recommend these and other personnel actions, such as promotion and leave authorization; and
- personally involved in the day-to-day operations as a primary decision maker; and
- **You must have been actively involved in a private sector, for-profit, company that is not owned or operated by a government or voluntary sector.**

Business ownership experience	Years of experience	Points	Maximum points
Business owner (of at least 33.3%), personally involved in the day-to-day operations as the primary decision maker, responsible for supervising at least two people.	10 in the last 10 years	20	20
	6–9 years in the last 10 years	18	
	3 years in the last 5 years	15	
Senior management experience	Years of experience	Points	
Senior manager, personally involved in the day-to-day operations as a primary decision maker responsible for supervising at least two people.	10 years in the last 10 years	12	
	6–9 years in the last 10 years	10	
	5 years in the last 5 years	5	

6. Business concept

You must submit a business concept of 1,000 to 1,500 words with your EOI. Details of your business concept must be completed in the template provided in the [Expression of Interest Form – Entrepreneurial Stream \(NB-001ES\)](#)

You may be awarded up to 15 points for your business elements. **You must demonstrate that the business concept is of economic benefit to New Brunswick and operates for the primary purpose of earning profits by providing products and/or services.**

Business plan elements	Points	Maximum points
Candidate will transfer 10 years of business ownership or senior management experience to the same industry and sector in New Brunswick.	3	15
Candidate will establish or purchase a business in a key industry sector.	3	
Business is located outside of Fredericton, Saint John and Moncton.	3	
Eligible expenses are greater than \$500,000 CAD, or	4	
Eligible expenses are between \$351,000 CAD and \$499,000 CAD, or	3	
Eligible expenses are between \$250,000 CAD and \$350,000 CAD.	2	
Candidate has identified target market(s) for the New Brunswick-based business, and	2*	
Candidate has knowledge of statutes, regulations and bylaws, and		
Candidate has identified relevant business resources.		
Business will increase research, development and technological commercialization.	2*	
Business will transfer specialized knowledge and expertise to New Brunswick.		
Business will attract new business activities to New Brunswick.		
Business will link New Brunswick to global markets and value-chains.		

* Applicants must meet at least two conditions to claim total points

7. Adaptability for your spouse or common-law partner

You may be awarded up to a maximum of 5 points if your spouse or common-law partner has studied or worked in New Brunswick and meets the minimum level CLB 5 in English or NCLC 5 in French in all four language abilities as validated by the results of a language test administered by a designated IRCC testing agency.

Adaptability for your spouse or common-law partner	Points	Maximum points
Completed a program of full-time study of at least one year at a recognized post-secondary institution in New Brunswick after the age of 17 years and with a valid study permit, or	5	5
Completed at least six months of continuous full-time employment in New Brunswick.		
Meets the minimum level CLB 5 in English or NCLC 5 in French in all four language abilities (i.e., reading, writing, listening, speaking).	5	

PART 7: New Brunswick business requirements

New Brunswick business requirements

Your business must be:

- of economic benefit to the province;
- you must have a minimum of 33.33 percent ownership and assume an active senior management role in the day-to-day operation of the business;
- established as a sole proprietorship, partnership or corporation; (in the case of a partnership, the other partner(s) must be a Permanent Resident or Canadian Citizen);
- the continued operation of an existing business or the establishment of a new business;
- a private-sector, for-profit entity with the primary purpose of earning profits through the sale of goods and/or services;
- considered a “permanent establishment” as defined under subsection 400(2) of the Canadian Income Tax Regulations, 1985.

Creating significant economic benefit to New Brunswick

The Department of Post-Secondary Education, Training and Labour may grant priority processing to applications with business plans that have the greatest potential to create significant economic benefit through:

- increased value-added manufacturing or processing for New Brunswick exports;
- enhanced research and development;
- development of new products and/or services;
- development of innovative approaches to traditional businesses;
- development and/or enhancements of new technologies;
- the transfer of technology and specialized knowledge to New Brunswick;
- providing products and/or services to an under-served local or regional market; and
- other, as determined by the department.

New Brunswick business acquisition/ownership

When investing in a business, you must:

- make an eligible business investment of not less than CAD \$250,000 before tax., The Department will not consider items purchased for personal use including, but not limited to, your principal residence and motor vehicles as part of your minimum eligible investment; and
- control at least 33.33 per cent equity in the business.

List of ineligible businesses

The lists below are not intended to be exhaustive. The Department reserves the right to modify the lists of excluded business activities and/or characteristics at any time.

The following business activities are ineligible for the Entrepreneurial Stream:

- adult services including but not limited to the production, distribution and/or sale of pornographic or sexually explicit products and/or services, and/or the provision of sexually oriented services;
- bed and breakfast accommodations;
- coin operated businesses;
- consultancy (business or agency that offers expert professional advice in a field);
- Online language and educational training centers
- e-commerce or online businesses;
- Facilities that provide temporary residents and/or newcomer’s settlement services;
- cooperative (business or organization owned and operated by its member);
- domain names;
- Hobby farm for personal consumption or use that does not generate a primary source of income;

- brokerage businesses (a business that derives its prime source of income from acting as an intermediary for buyers and sellers);
- financial services including, but not limited to cooperatives and/or credit unions, short-term borrowing including, but not limited to, payday loan, cheque cashing, money changing and cash machines, secured loans where items of personal property are used as collateral (i.e. pawnbrokers);
- home-based and/or businesses operating from a residential property;
- landlord property and rental management;
- inn or boutique hotel that has less than five rental units with revenues less than CAD \$100,000;
- not-for-profit businesses and organizations;
- property investment (purchase/construction/development of real estate for the intention of earning a return on the investment, either through rental income, the future resale of the property or both); However, construction and/or development may be eligible if multiple signed and verifiable contracts are provided; This does not include the purchase of existing properties and/or businesses.
- professional practices and services where the applicant fails to provide proof of licensing and/or accreditation in New Brunswick;
- is an immigration-linked passive investment scheme pursuant to Immigration and Refugee Protection Regulations section 87(5)b and as defined by IRPR 87(9);
- is conducted remotely from a jurisdiction outside New Brunswick;
- offers products and/or services that are primarily used during a certain time of the year; Note: businesses must be operational for 12 months continuously throughout each year.
- promotes and/or sells controlled substances and illegal drugs, prescription drugs and items used to manufacture controlled substances and/or drug paraphernalia;
- promotes and/or sells illegal items and items that encourage, promote, facilitate or instruct others to engage in illegal activities including, but not limited to counterfeit products, copies of movies, software and trademarks, etc.; and
- that by association could bring the department into disrepute.

Eligible Business Investments

Eligible investments must be derived from your personal net worth and may include but are not limited to:

Please note: total business investment excludes working capital such as rent, wages, leasing costs, cash flow and any other recurring expenses as deemed, by the Department, ineligible for the purposes of this program.

1. Business premises, including:

- building and/or land to a maximum of 25 per cent of your total business investment or actual cost, whichever is lower; and
- property improvements or leasehold improvements that increase the value of the business premises to a maximum of 25 per cent of your total business investment or actual cost, whichever is lower.

2. Equipment used by employees to enable them to perform their day-to-day duties may include, for example:

- book cases;
- chairs;
- communication devices;
- computers and laptops;
- desks;
- file cabinets;
- fire extinguisher;
- first aid kit;
- hardware including printers, scanners and shredders;
- light fixtures;
- office furniture;
- photocopier;
- recycling bin;
- safe;
- stationery; and
- tools and devices.

3. Equipment necessary for use in primary production and manufacturing of goods including, but not limited to:

- machinery;
- raw materials, components and supplies; and
- shipping, installation and testing of equipment

4. Initial inventory to a maximum of 50 per cent of your total business investment or actual cost, whichever is lower. Initial inventory is considered to be inventory purchased up to the opening day of your business.

5. Intangible investments including:

- goodwill and/or intellectual property may not exceed 10 per cent of the net book value of the business;

6. Professional services from North American companies including marketing, promotions and services in connection with establishing the business to a maximum of 4 per cent of your total business investment or CAD \$10,000, whichever is lower; and

7. Vehicle to a maximum of 5 per cent of your total business investment up to a maximum of CAD \$15,000, whichever is lower. The amount must be amortized to reflect actual business use and a log similar to that used for income tax purposes is required.

Buying an established New Brunswick business

If buying an existing business, you must demonstrate to the Department of Post-Secondary Education, Training and Labour that the business:

- has been in continuous operation by the same owner for the three years prior to the purchase date; and that the owner is a permanent resident or citizen of Canada;
- will be purchased at a proven fair market value;
- has achieved a proven net profit for at least two of the previous three years as demonstrated by audited financial statements;
- will provide for the continued employment to existing staff on similar terms and conditions; and
- is not in receivership and/or has not filed for bankruptcy for the three years prior to the date of purchase

Creating jobs in New Brunswick

The business must create at least two full-time jobs for permanent residents or citizens of Canada living in New Brunswick. The two full-time jobs cannot include you, your spouse or common-law partner, your dependant children and/or other family members.

Operating the business in New Brunswick

With respect to operating the business, you must:

- ensure the business pays income tax on taxable income earned in the province, regardless of income or other taxes that may also be payable in other jurisdictions as a result of income earned or other business activity;
- comply with all legislation in the province including, but not limited to, the *Employment Standards Act*, *Human Rights Act* and *Occupational Health and Safety Act*;
- comply with all Canadian laws in establishing, purchasing and maintaining the business;
- obtain the necessary licences and permits, etc, from all applicable municipal, provincial and/or federal authorities; and
- continue to operate the business for two years from the date of the refund and release of the deposit of CAD \$100,000 to you as the applicant.

Providing active management to the business from within New Brunswick

You must prove your genuine intention to live in New Brunswick as described in section 87(2) of the *Immigration Refugee Protection Act*, S C 2001, c 27 Regulations state that “a foreign national is a member of the nominee class if they intend to reside in the province that nominated them” and that:

Providing active management to the business is a requirement of the Entrepreneurial Stream as set out in the Immigration and Refugee Protection Regulations (IRPR), section 87(6) (c) You must:

- assume risk and influence the direction of the business; and
- provide ongoing and active management to the business from within New Brunswick; and
- be present at the business premises on a day-to-day basis.

Participating in site visits conducted by the department

The Department of Post-Secondary Education, Training and Labour may conduct two site visits to the business premises to verify compliance with the terms and conditions set out in the signed and dated business performance agreement. Visits may occur on or about:

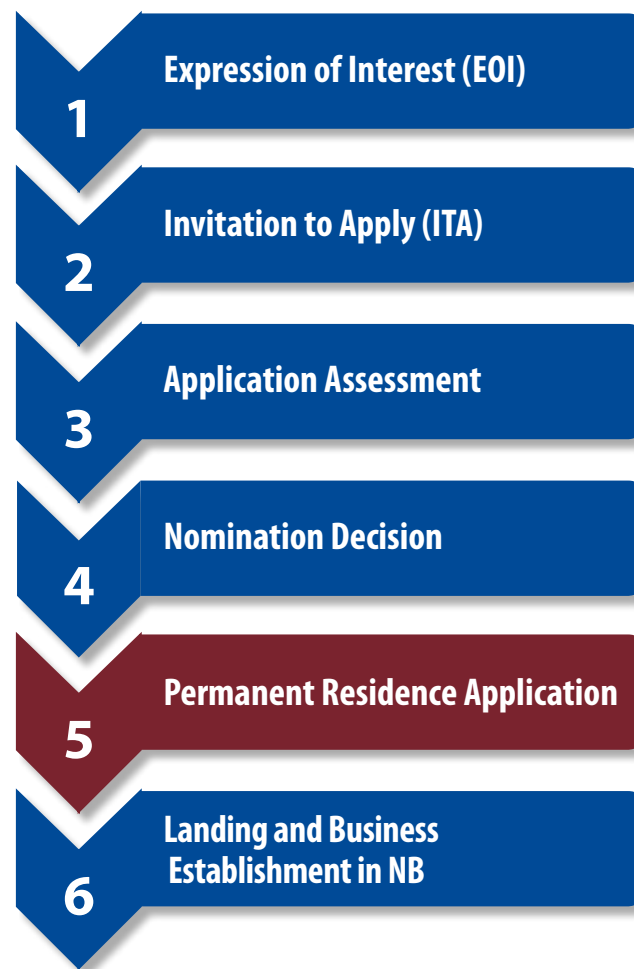
- the start of the business commencement date;
- 12 months after the business commencement date;
- the date the department receives your written request for the refund of the deposit of CAD \$100,000, without interest.

During official site visits, you must provide department officials with information and/or documents that are reasonably required to verify your compliance with the terms and conditions set out in the signed and dated business performance agreement, including but not limited to: proof of business registration and incorporation; business permits and licences; bank statements; invoices showing proof of eligible investment; financial statements prepared by a certified or chartered accountant; business income tax assessments; and payroll documents.



PART 8: Application process

The following section outlines the six steps required to obtain permanent residence to New Brunswick. The Department of Post-Secondary Education, Training and Labour is involved in five of the six steps (Step 5, applying for and receiving permanent residence is the responsibility of IRCC) Details are outlined below:



1. Submit an Expression of Interest (EOI) to the department

Submitting an EOI is your first step toward permanent residence to New Brunswick.

Potential candidates will submit an EOI indicating their interest in applying for permanent residence through the NBNP. Those who meet the criteria will be placed into a pool of candidates. On a regular basis, the highest ranking candidates will be selected from the pool. An EOI is not an application; it is an expression of your interest to apply for immigration through the Entrepreneurial Stream.

The Department will rank candidates against others in the pool using a point-based system called the Comprehensive Ranking System Points are awarded using the information in your EOI. You will be given a score based on factors that have been shown to help immigrants prosper in Canada. The higher your score, the more likely you are to be invited to apply to the Entrepreneurial Stream through the NBNP.

Candidate self-assessment profile			
Eligibility requirements	You meet or exceed the requirement? Yes or No	Maximum points	Candidate score
Eligible connection to New Brunswick		No points	N/A
Age		10	
Language		25	
Education		25	
Personal net worth		No points	N/A
Business ownership, or senior management experience		20	
Business plan is of economic benefit to New Brunswick		15	
Adaptability for spouse or common-law partner		5	
Total score (minimum 65 points required)		100	

To receive an invitation to apply, you must:

- meet minimum eligibility requirements;
- score at least 65 points in the selection factors; and
- present a business concept that demonstrates the potential to provide significant economic benefit to the province.

EOI Eligibility criteria

Prior to submitting an EOI, you must demonstrate at least one of the following eligible connections:

- A. You have visited New Brunswick for at least five business days within the previous 24 months prior to submitting your EOI; or
- B. You have participated in an Entrepreneurial Stream information session offered by an official representative from the Government of New Brunswick within the previous 24 months prior to submitting your EOI.

Upcoming information sessions will be posted on the www.livinginnb.ca website.

Or, you or your spouse/common-law partner:

- C. have been awarded a diploma or certificate that required at least two years full-time study at a post-secondary institution in New Brunswick after completion of high school; or
- D. have worked 30 hours per week for at least 12 consecutive months in a high-skilled occupation (NOC O, A, B) for a company located in New Brunswick; or
- E. have family members (i.e., parents, grandparents, aunt, uncle, niece, nephew, who are Permanent Residents or citizens of Canada living in New Brunswick for at least 12 months, or dependent children studying in NB).

For more information about National Occupations Classifications (NOC):

Government of Canada (Find your NOC):
<http://www.cic.gc.ca/english/immigrate/skilled/noc.asp>

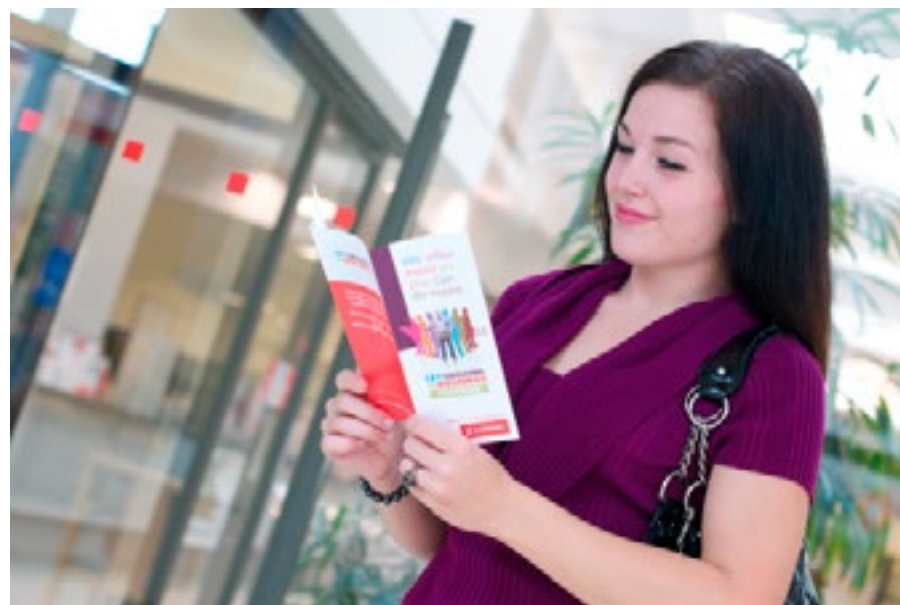
Exploratory Visit

If you are planning to live in New Brunswick and to operate a business here, the Department of Post-Secondary Education, Training and Labour encourages you visit the Province to explore business opportunities. If you do not have any other eligible connection to the Province, an exploratory visit will allow you to meet the New Brunswick connection required prior to submitting your EOI.

You must conduct the visit within 24 months prior to submitting an EOI. The Exploratory visit must be a minimum of five full business days, although longer trips are recommended. Travel days, and statutory holidays and weekends shall not be included as part of the minimum five full business day requirement. The Department shall not incur any costs related to an exploratory visit.

The purpose of the exploratory visit is for you to conduct extensive research related to business opportunities that are of economic benefit to New Brunswick. 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.; and
- New Brunswick-based ethnic and cultural associations.



If you participate in an exploratory visit, you must submit an Exploratory Visit Report with your application. The report must include the following details:

- length of stay in New Brunswick, including time spent in other Canadian jurisdictions Provide copies of all airline tickets, boarding passes and hotel receipts during your stay in Canada Be sure to remove any credit card information prior to submission; and
- a record of meetings held in Province with business service providers and settlement organizations. Include the name, contact information and business card for individuals participating in the meetings, date and location, how the meeting relates to your business establishment and/or settlement in New Brunswick; and
- a record of visits to existing business locations Include the name, contact information and business card for individuals participating in the meetings, date and location, how the meeting relates to your business establishment and/or settlement in New Brunswick.

Persons who are not Canadian citizens or Permanent Residents may require a temporary resident visa (TRV) to enter Canada If you do not require a visa to enter Canada, you may require an Electronic Travel Authorization (eTA). You must ensure that you have the travel documents required for travel to New Brunswick. The Department shall not provide letters of support for TRVs and eTAs, or otherwise intervene on your behalf in the event you are denied admission to Canada as a temporary resident (either as a visitor, student or worker).



2. Invitation to Apply (ITA)

Candidates selected from the pool will receive a written ITA to submit a full application to the Department. The number of ITAs issued is dependent on annual processing targets and capacities.

The invited candidates must submit an immigration application to the Department within 90 days to the issuance of the ITA letter.

3. Application Assessment

An ITA letter issued by the Department of Post-Secondary Education, Training and Labour is your personal invitation to submit a full application to Department. This letter will include an ITA number that you will need if you submit an application.

Details for preparing and submitting your application are available on the Document Checklist for the [Entrepreneurial Stream \(NB-002ES\)](#)

Preparing your application

Answer every question on the forms, even if it does not apply to your situation. If an answer is left blank, the whole application is considered incomplete and the application may be returned or refused. If you do not have an answer to a question, and there are no instructions for it on the form or in the instruction guide, write "N/A" ("not applicable") in the space provided. If your answer to a question will not fit in the space on a printed form, attach a separate sheet of paper with further details, using the same format that appears on the form. Print your name, date of birth and the title of the form at the top of each additional sheet.

Provide all documents as applicable. If you are unable to provide any of the requested documentation, please include with your application a written explanation with full details as to why that documentation is unavailable and any other documentation that would support your claim. Failure to provide supporting documents in certain circumstances may result in the refusal of your application. Do not include any federal immigration documents with your application.

Provide all documents in the required format. The checklist indicates whether documents should be original or copy, colour, one-sided or double-sided, stapled or notarized. Documents should be numbered according to the checklist (i.e. birth certificates for the children should be numbered 2.1) When preparing the

application package, do not bind the pages, put pages in a ring binder, enclose individual pages in plastic, envelopes or folders, tie, sew, bolt or glue pages together, use multiple staples on a page or send multiple copies of identical documents. Do not use abbreviations. Do not use general words such as "employee," "working" and "manager". Use specific words such as "architect," "financial manager" and "corporate sales manager," etc.

Sign all forms as applicable. Please note that by signing these documents, you are certifying that all information provided therein, whether prepared by you or not, is complete and true in all respects. If you or someone acting on your behalf directly or indirectly submits false documents or misrepresents facts relating to your application for a Permanent Resident visa, your application will be refused.

All documents must be in either English or French. If translation is required, you must provide a certified copy of the original document. If the translation is not provided by a member in good standing of a provincial or territorial organization of translators and interpreters of Canada, you must provide an affidavit from the person who completed the translation.

Preparing Your Business Plan

The business plan ("the plan") is a guide for your business that outlines goals and details how you plan to achieve them. As the owner/operator of the business, you should be actively engaged in the development of the plan. While there is no penalty for hiring a third party to help develop the plan, you are expected to have complete knowledge of it and will be held accountable for its contents. If you are found to be unaware of the details and/or unable to defend the plan, your application will be refused.

In developing the plan, you must demonstrate that you have conducted extensive research and considered relevant economic, market and cultural factors. You must also take into account your personal strengths and weaknesses.

The Department reserves the right to have your plan assessed by other government departments to:

- assess the overall quality of the plan;
- determine if you conducted sufficient due diligence in the preparation of the plan;
- assess the feasibility of operating the plan in New Brunswick;

- assess the likelihood of becoming economically established by implementing the plan; and
- take into consideration any other factors as determined by the Department.

The plan will be presented in two stages: first, a Business Concept submitted with your EOI; second, a detailed Business Plan submitted with your full application.

Net Worth Verification Report

If you receive an ITA, you must engage a professional accounting service provider, designated by the Department of Post-Secondary Education, Training and Labour, to complete a Net Worth Verification Report on your behalf. The service provider will review your personal net worth claims and your accumulation of funds through an analysis of financial documents you submit to them. The service provider will produce a report that outlines:

- your total verifiable personal net worth;
- your total verifiable unencumbered funds;
- details regarding the legal accumulation of your funds; and
- whether there are any concerns that require further investigation

The service provider will send a copy of the report directly to the Department and to you. The report will be used by the Department in the assessment of your application. Notwithstanding the conclusions of the report, the Department has the sole discretion and responsibility to assess your application and may request additional information, supporting documentation and clarification regarding your personal net worth during the application process.

The amount of time it takes to evaluate your documents and prepare a verification report will vary. Factors such as the volume of financial documents you provide and the processing capacity of the service provider can affect the timing. Service providers are required to complete a net worth verification report within 90 days after you have received your ITA.

Failure to provide satisfactory evidence to verify your personal net worth and legal accumulation of funds shall result in the refusal of your application.

The list of designated service providers and instructions is included with the ITA.

The Department recommends you do not engage a service provider until you receive an ITA.

The report is valid for 12 months from the date of issuance by the service provider.

Assessing your application

The Department will conduct a full review and assessment of the complete application, according to application inventory and the variety of circumstances set out in this Guide under “Terms and Conditions”. Your application will be assessed against Entrepreneurial Stream eligibility requirements. If it is found that you do not meet the requirements of the Entrepreneurial Stream your application will be refused. You may choose to submit a new EOI once you determine that you meet Program requirements.

The Department will also verify the information in your application with the information provided on your [Expression of Interest Form – Entrepreneurial Stream \(NB-001ES\)](#). If it is found that you and/or any person involved with your application has misrepresented or intentionally withheld material facts relating to a relevant matter that causes or could cause the Department to make an error in the processing (or assessing) of the EOI, application, and/or the decision to issue a Certificate of Nomination, it shall be refused for misrepresentation, regardless of your ability to meet any or all of the eligibility requirements. You will not be permitted to submit an EOI or application, or otherwise apply for immigration through NBPNP for five years from the date of issuance of the refusal letter issued by the Department.

The Department will communicate the final decision in writing to you and your representative (if applicable).

Interview

At this step of the process, you may be contacted to participate in an interview with NBPNP Program Officers. Not all applicants will be required to have an Interview. Requiring an interview will be up to the discretion of the Department. If an interview is required, it will be conducted either in-person or using a web-based video conferencing service. Please note that you are responsible for ensuring that you have access to the web-based video conferencing service, including all equipment and software required. The purpose of the interview will be to validate the information submitted in the application and confirm understanding and knowledge regarding your business plan and its implementation. Applicants who do not satisfy the NBPNP Program Officers through the interview could be refused.

The following will be evaluated during the interview:

- your previous management experience;
- your understanding of business in New Brunswick;
- you and your family's overall suitability to become economically established in New Brunswick;
- your business plan including details of location, products, market analysis, profits etc.;
- Other topics relevant to your immigration application;
- you may be asked to make a verbal presentation to the Department including, but not limited to, all of the above information.

Only the principal applicant and family members will be permitted in the interview. Immigration representatives and interpreters are not permitted.

Refusal decision

If your application is refused, you will receive a "letter of refusal" from the Department.

There is no appeal process for refused applications.

4. Nomination Decision

If your application is approved, you will receive a letter with instructions for submitting a signed and dated Business Performance Agreement and the deposit of CAD \$100,000 to the Department of Post-Secondary Education, Training and Labour within 60 days of issuance of the letter.

Failure to comply with this deadline may result in the refusal of your application.

5. Permanent residence application

Submitting your application to IRCC

If nominated by the Department, you will receive a Certificate of Nomination. The Certificate is valid for six months from the date of issuance.

You must submit a complete application for a permanent residence visa to IRCC as indicated on the Nomination Certificate. Your application must be received at IRCC prior to the expiry date indicated on the Nomination Certificate.



Additional information on submitting your application to IRCC is available at:

- Government of Canada (Find application forms and guides): www.cic.gc.ca/english/information/applications/index.asp

6. Landing and business establishment in New Brunswick

30 days following your landing date in Canada

Within 30 days following your landing date in Canada, you must report your landing, in writing, to the [Department using the Report Your Landing \(NB-013ES\)](#).

60 days following your landing date in Canada

Within 60 days following your landing date in Canada, you must participate in a face-to-face meeting with the Department of Post-Secondary Education, Training and Labour in New Brunswick. At this meeting, you must:

- provide the Department with copies of the document(s) issued by Canada confirming your landing date in Canada for you and your dependents (i.e., Record of Landing, IMM 1000);

- provide the Department with proof of your personal contact information in New Brunswick, including the mailing address, residential address (if different), email address and telephone number;
- present a written report to the Department outlining the steps taken to establish the business in New Brunswick; and
- make a verbal presentation to the Department outlining the steps you have taken to settle in New Brunswick with your dependant family members.

180 days following your landing date in Canada

Within 180 days following your landing date in Canada, you must participate in a face-to-face meeting with the Department in New Brunswick. At this meeting you must:

- Provide the Department with personal contact information in New Brunswick, including the mailing address, residential address (if different), email address and telephone number;
- present a written report to the Department outlining the steps taken to establish the business in New Brunswick since the meeting held within 60 days of landing date in Canada;
- demonstrate an in-depth knowledge of the business, be able to defend actions and decisions taken in the establishment and/or operation of the business, and demonstrate the economic benefits of the business to the province; and
- make a verbal presentation to the Department outlining the steps you have taken to settle in New Brunswick with your family since the meeting held within 60 days of the landing date in Canada.

Two years following your landing date in Canada

Within the two years following your landing date in Canada, you must have established your business according to the terms and conditions set out in the signed and dated Business Performance Agreement. This two-year period is referred to as the business establishment period. It is the fixed period commencing on your landing date in Canada and ending in 24 months in which you must establish your business. Failure to establish your business within this period shall result in the forfeiture of the deposit of CAD \$100,000. The business establishment period shall not be extended.

Three years following your landing date in Canada, or one year after the business commencement date (whichever date comes first)

Within the three years following your landing date in New Brunswick, or one year after the business commencement date (whichever date comes first), you will be eligible to apply for a refund and return of your deposit of CAD \$100,000, without interest, providing you fulfil the terms and conditions as set out in the signed and dated Business Performance Agreement.

The business commencement date is the date when the business started operations in New Brunswick and cannot begin prior to your landing date; and it shall not be considered the date the business is registered in the province. Failure to operate your business within the period mentioned above will result in the forfeiture of the deposit of CAD \$100,000.

PART 9: Definitions

The following words and phrases shall have the meanings set out below:

Accompanying family member – A spouse, common-law partner, dependant child or dependant child of a dependant child (grandchild), who plans to immigrate to Canada with the principal applicant. Accompanying family members are included on the application.

Active management – The applicant is personally involved in the day-to-day operations and management of the business as a primary decision-maker, responsible for assuming risk and influencing the direction of the business.

Applicant – A person who submits an application under any of the Department of Post-Secondary Education, Training and Labour's business streams.

Application – All forms, supporting documents and information submitted to the Department of Post-Secondary Education, Training and Labour in support of permanent residence to Canada.

Assets (intangible) – Non-physical assets including brand recognition, goodwill and intellectual property fees.

Assets (tangible) – An asset that has a physical form, including both fixed assets, such as, machinery, buildings and land, and current assets such as inventory. The purchase of real estate is not considered a tangible asset unless it is essential to the business.

Bankruptcy – The state of being bankrupt or the fact of becoming bankrupt as described in The Bankruptcy and Insolvency Act.

Business – Any privately owned entity constituted, organized and recognized under Canadian law including any corporation, partnership or sole proprietorship in eligible commercial, industrial or professional activities.

Business commencement date – The date when the business starts operations in the province. The business commencement date cannot begin prior to the landing date in Canada, and it shall not be considered the date the business is registered in the province. The business commencement date shall not be extended under any circumstances.

Business concept – The business idea presented at the EOI stage for the proposed business to be established by the applicant in New Brunswick. The business concept should be the same as the business plan presented at the application stage.

Business establishment period – The fixed period starting on the landing date in Canada and ending in 24 months in which the applicant shall establish and/or operate the business. The business establishment period shall not be extended under any circumstances.

Business performance agreement – An agreement signed between the Province of New Brunswick and the applicant which outlines the terms and conditions to be fulfilled for the refund of the deposit.

Business plan – The applicant's plan to invest in, develop and grow the business operation in New Brunswick. It communicates who the applicant is, what the applicant plans to do and how the applicant plans to do it.

Canadian Language Benchmarks (CLB) – The Canadian standard used to describe, measure and recognize English language ability of adult immigrants and prospective immigrants who plan to live and work in Canada, or apply for citizenship. The Niveaux de compétence linguistique canadiens (NCLC) is used to assess abilities in the French language.

Certificate of Nomination – A certificate issued by a province or territory that recommends a foreign national for permanent residence under the Provincial Nominee Program.

Certified English or French translations – A translation certified by an authorized person, who must compare the original document to the photocopy and print the following on the photocopy:

- The phrase “I certify that this is a true copy of the original document”;
- the name of the original document;
- the date of the certification;
- his or her name;
- his or her official position or title; and his or her signature.

Certified photocopy – A photocopy of an original document that is readable and certified as a true copy of the original by an authorized person. The person compares the documents and marks on the photocopy:

- the name and signature;
- the position or title;
- the name of the original document;
- the date he or she certified the document;
- the phrase “I certify that this is a true copy of the original document”.

Common-law partner – In relation to a person, an individual who is cohabiting with the person in a conjugal relationship, having so cohabited for at least one year.

Comprehensive Ranking System (CRS) – A points-based system used to assess and score a candidate’s profile to rank them against other candidates. The CRS will assess the profile information candidates submit, including skills, business experience, language ability, education and other factors.

Dependant – A spouse, common-law partner or dependant child of a Permanent Resident or principal applicant.

Dependant Children - Daughters and sons, including adopted children, who:

- are under the age of 22 and do not have a spouse or common-law partner;
- are 22 years of age or older and have depended substantially on the financial support of the parent since before the age of 22 and are unable to be financially self-supporting due to a physical or mental condition.

Deposit – The payment of \$100,000 CAD, without interest, made by the Applicant and held in trust by the Department of Post-Secondary Education, Training and Labour.

Designated third-party language test – A test showing if the applicant’s language skills meet NBNP requirements in each of these four categories: listening, speaking, reading and/or writing. There are agencies designated to give the tests. This means they are approved to do so by the Department of Post-Secondary Education, Training and Labour.

Economic benefit – Benefits that can be quantified in terms of money generated, such as net income, net cash flow, or return on investment, and income tax paid etc.

Eligible investment – The applicant must make a minimum financial investment in the business of not less than CAD \$250,000 before tax, in eligible purchases and expenses.

Equity – The ownership in a business after all debts associated with that business are paid off (i.e., equity = assets less liabilities).

Expression of Interest (EOI) – The application management system used by the Department of Post-Secondary Education, Training and Labour to create a pool of qualified candidates for selection to the Entrepreneurial Stream within the NBNP as operated by the Department.

Family in NB - For the purposes of the Entrepreneur stream (connection to NB), family in New Brunswick is defined as a:

- parent;
- grandparent;
- brother/sister;
- aunt/uncle;
- niece/nephew;
- Children.

Forfeit – The Department of Post-Secondary Education, Training and Labour retains the deposit of \$100,000 CAD if the applicant fails to comply with the terms and conditions set out in the Business Performance Agreement.

Goodwill – An amount representing the excess paid for a company or its shares (or other assets) over its net asset value.

Immigration-linked investment scheme – A strategy or plan where one of the objectives of the strategy or plan is to facilitate immigration to Canada and one of the objectives of the promoters of the strategy or plan is to raise capital;

or where this agreement or arrangement in respect of the strategy or plan was entered into primarily for the purpose of acquiring a status or privilege under the Immigration and Refugee Protection Act, Section 87(9).

Immigration Consultants of Canada Regulatory Council (ICCRC) – A self-regulating association of paid immigration representatives who are citizens or permanent residents of Canada.

In process – An application that has been sent to the Department of Post-Secondary Education, Training and Labour has been opened, checked for completeness, and an employee has begun to process it (enter into the computer system, etc.).

Intellectual property – A work or invention that is the result of creativity, such as a manuscript or a design, to which one has rights and for which one may apply for a patent, copyright, trademark, etc., as defined under the *Copyright Act (R S C, 1985, c C-42)*.

Invitation to Apply (ITA) – A letter sent to Applicants whom are invited by the Department of Post-Secondary Education, Training and Labour to submit an application for permanent residence to the NBNP.

Investment – The acquisition, provision or injection of capital into eligible purchases and expenses in a business located in the province from the applicant's own resources.

Landing date in Canada (i.e., "Interview for Final Determination") – The final interview with an immigration officer at a port of entry or a local Immigration, Refugees and Citizenship Canada (IRCC) office within Canada, during which the applicant becomes a Permanent Resident of Canada. This happens when the applicant signs the confirmation of permanent residence.

Liquid and unencumbered funds – Cash, demand deposits (with a financial institution) term deposits, tax shelters convertible to cash and readily marketable investments, including publicly traded stocks or bonds. These funds must be free of any debts and other obligations.

Locked in – Information that is locked in during the immigration application process and which will not change over time.

Misrepresentation – Making false statements, submitting false information, submitting false or altered documents or withholding information relevant to an EOI and/or application to the Department of Post-Secondary Education, Training and Labour.

Notary – A publicly commissioned official authorized to serve as an impartial witness to the signing of a legal document.

Permanent establishment of the business – In respect of a corporation means a fixed place of business of the corporation as defined under section 400 (2) of the Canadian Income Tax Regulations, 1985.

Permanent Resident – A person who has acquired Permanent Resident status and has not subsequently lost that status under section 46 under section 2 (1) of the *Immigration and Refugee Protection Act (IRPA), S C 2001, c 27*.

Permanent Resident status – The position of a person who has legally immigrated to Canada but is not yet a Canadian citizen.

Permanent Resident visa – A document issued by Canada to a foreign national that allows that person to travel to Canada to become a Permanent Resident.

Pool – Applicants who meet certain criteria are put into a pool of candidates. This is a group of people that the Department of Post-Secondary Education, Training and Labour may invite to apply for permanent residence through NBNP.

Principal applicant – When a family applies together, one member must be the main or "principal" applicant. For example, a mother applying for permanent residence with her three children would be the principal applicant. When parents are included in an application, dependant children cannot be principal applicants.

Provincial Nominee Program (PNP) – A program that allows provinces and territories to nominate candidates for immigration to Canada.

Removal order – The document used by federal immigration official to order a person to leave Canada.

Resident of New Brunswick – A person lawfully entitled to be or to remain in Canada, who makes his/her home and is ordinarily present in New Brunswick, but does not include a tourist, transient or visitor to New Brunswick. The applicant must have lived in New Brunswick for at least 75 per cent of the time during the business establishment period.

Refund – The deposit of CAD \$100,000, without interest, is refunded and returned to the applicant when he or she complies with the terms and conditions set out in the Business Performance Agreement and this has been verified by the Department of Post-Secondary Education, Training and Labour.

Representative – A person who has the permission of someone wanting to immigrate to New Brunswick to conduct business with the Department of Post-Secondary Education, Training and Labour on his or her behalf. The representative can be paid or unpaid.

Site visit – A visit in an official capacity by an officer from the Department of Post-Secondary Education, Training and Labour to assess the compliance of the terms and conditions set out in the Business Performance Agreement.