



Your Guide to the New Brunswick Business Immigration Stream

***New Brunswick Provincial Nominee Program
Department of Post-Secondary Education, Training and Labour
Population Growth Division***

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

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Closed on statutory holidays

In the event of a discrepancy between the New Brunswick Provincial Nominee Program (NBPNP) website and the NBPNP program guides, the information in the application program guides will be considered correct. Please check our website regularly to ensure you are using the most up-to-date version of the application program guides.

Do I need a representative to help me apply?

No. The Government of Canada and Government of New Brunswick treats everyone equally, whether they use a representative or not.

All the forms and information that you need to apply to immigrate to Canada are available for **free**. If you follow the instructions in the application guide, you can complete the application form and submit it on your own.

If you decide to use an immigration representative, **be careful whom you ask for advice**.

If you're hiring a paid representative:

- find out if they're authorized
 - This means they have a license to practice and give advice
 - If you choose a paid representative who's not authorized, we may return your application or refuse it
 - If you give a representative money **or compensate them in any other way** in exchange for their services, they're considered paid and must be authorized

Tips to protect yourself from fraud

- Be careful of anything that sounds too good to be true
 - Using a representative will not draw special attention to your application or guarantee that we'll approve it
- Beware of representatives who encourage you to give false information in your application
 - It's against the law, and you could be denied entry into Canada or deported after you arrive
- Don't leave original documents or photos with your representative
- Don't sign blank application forms
- Don't sign forms or documents unless you can read them
 - If you don't understand them, ask someone to translate
- Make sure to get copies of any documents your representative makes for you
- Any time you pay your representative, get a signed receipt
- Make sure your representative updates you on your application often
- Protect your money and remember:
 - we'll **never** call you and ask you to deposit money into a personal bank account
 - we'll **never** ask you to transfer money through a private money transfer company
 - [processing fees](#) are in Canadian dollars and they're the same around the world

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Part 1: Introduction

The New Brunswick Provincial Nominee Program (NBNP), administered by the Department of Post-Secondary Education, Training and Labour (PETL), is an immigration program that allows the Government of New Brunswick to nominate individuals with the greatest ability to become economically established in New Brunswick. This immigration stream is part of an economic immigration program and is not intended for family reunification, protected persons or for humanitarian and compassionate reasons.

Within the NBNP is the New Brunswick Business Immigration Stream. The NB Business Immigration Stream is an economic immigration pathway for experienced entrepreneurs who are ready to establish, operate and actively manage a business while living and settling in New Brunswick permanently.

This guide provides complete and comprehensive information about program requirements and eligibility. Please carefully read it before you apply.

NBNP applications require four stages of approval before Permanent Resident (PR) status may be obtained.

Stage 1: Application to the NB Business Immigration Stream for a Work Permit Letter of Support

If you meet all eligibility criteria and selection factors, you can apply to the NB Business Immigration stream by registering online and submitting an Expression Of Interest (EOI).

The Province reviews EOIs and issues Invitations to Apply (ITA). If an ITA is sent to you, then you can submit a full application online.

The processing time varies depending on the time required for the verification of documents included in your application and on the volume of applications received. In some cases, you may be asked to attend an interview.

Successful applications result in the Province issuing a letter of support for a temporary work permit.

Stage 2: Obtaining your Work Permit from the Federal Government

You may now apply to Immigration, Refugees and Citizenship Canada (IRCC) for a Work Permit which, if approved, will be valid for 2 years. This time is intended to allow you the opportunity to start your new business in New Brunswick.

Stage 3: Establishing your Business

After receiving your valid Work Permit from IRCC, you may now start working on establishing your business in New Brunswick based on the approved business plan, location and investment amount.

Business Plans and locations cannot be changed after your application has been approved by PETL. Your business must be operational for a minimum of 1 year and the terms of the Business Performance Agreement (BPA) fulfilled prior to submitting a request to receive a provincial Nomination Certificate from PETL.

Stage 4: Application to Immigration, Refugees and Citizenship Canada for a PR visa

If you receive a provincial nomination, you may then apply to Immigration, Refugees and Citizenship Canada (IRCC) for a PR visa. In this case, you will send your application to the IRCC Centralized Intake Office in Sydney, Nova Scotia, Canada. You, your spouse and dependents must meet statutory requirements for medical, security and criminal admissibility. IRCC has the final authority to issue a PR visa. There is no guarantee that IRCC will approve your PR application even if you are nominated by the Government of New Brunswick.

Important Information

Provincial immigration pathways are dependent upon federal immigration allocations, application volumes and labour market needs.

For this reason:

- PETL will determine the availability of immigration streams and categories depending on the volume of applications;
- PETL reserves the right to close or pause application intake without prior notice for any stream, at any time;
- PETL is not obligated to process any EOI or application submitted to one of its streams or categories;
- PETL may decline to consider applications, irrespective of when an application was submitted;
- PETL will assess applications according to the most current criteria, regardless of the date of submission of an application;
- PETL will process applications at its discretion and in a manner that best supports the goals of the NBNP. This can be based on application volumes, quality of individual applications, labour market information, economic forecasting and/or any other factors as determined by PETL;
- PETL will grant priority processing to applicants who have the greatest ability to become established economically in New Brunswick – as determined by PETL – and will not process applications on a first come, first served basis;
- The decision to process (or assess) any application and the outcome is at the sole discretion of PETL; and
- The decision to issue a nomination certificate is at the sole discretion of PETL.

By submitting an application to IRCC, NB Business immigration stream applicants agree and acknowledge that:

- Receipt of a nomination certificate from PETL does not guarantee that a PR visa will be issued by IRCC;
- IRCC has the sole authority to decide if persons will receive a PR visa. PETL is not responsible for any processes or decisions of IRCC; and
- IRCC will assess the application based on Canadian immigration law and make the final decision for granting a PR visa.

PR Readiness

When applying to any of New Brunswick's immigration streams, you must be PR Ready. This means that you:

- ✓ meet all minimum eligibility requirements and selection factors; and,
- ✓ have all the required documents on hand to prepare and submit a complete and correct application to the Government of New Brunswick and to the Government of Canada.

Being PR Ready means more efficient processing, fewer delays and a better experience navigating the New Brunswick and Canadian immigration programs. In most cases, this means your application will be processed faster. For details refer to the *Are you PR ready?* document available at www.welcomenb.ca.

Misrepresentation

If it is found that you, or any person (included in or associated with your application) has directly or indirectly misrepresented or intentionally withheld, or failed to submit, material fact(s) or information that induced or could have induced errors in the administration of the program whereas you could have been issued a nomination certificate without having provided truthful and complete information to enable PETL to properly assess the application, your application will be refused due to misrepresentation, regardless of your ability to meet any, or all of the eligibility requirements.

Applicants who are refused for misrepresentation are prohibited from applying to New Brunswick for five years from the date of decision.

Furthermore, the Government of New Brunswick is obligated to cooperate with the Government of Canada to ensure the integrity of the program. This includes sharing information including personal information and intelligence related to program abuses, as per the details set out in the *Canada-New Brunswick Memorandum of Understanding on Information Sharing*. As such New Brunswick will report to Canada without delay any instances of suspected or confirmed fraud involving, but not limited to, applicants, employers, third-party immigration representatives and educational institutions, subject to Section 10 of the agreement, and in accordance with the policies and procedures outlined in the *Canada-New Brunswick Memorandum of Understanding on Information Sharing*.

Legal status

If you are residing in Canada during the application process, you must maintain legal immigration status. Legal status means that you are authorized to enter and remain in Canada as a temporary resident for a specific period, either as a visitor, worker or student.

Implied status

You may register and/or apply to the NBNP if you are a temporary resident with implied status in Canada. You obtain implied status if you are a temporary resident who applied to IRCC to renew/extend your period of authorized stay (i.e. renewal of study or work permit) before its expiry date. You can remain in Canada and continue to work under the same conditions as your existing permit until a decision is made on your pending IRCC application.

Part 2: Eligibility Requirements

There are requirements for each stage of the NB Business Immigration stream process including online registration, EOI, application, work permit letter of support and nomination. You must meet the minimum eligibility requirements for age, language, education, personal net worth, business ownership and/or senior management experience, business concept and score a minimum of 65 points in the selection factors to be considered for nomination by PETL. Eligibility requirements must be met at the time of the EOI, application and nomination. Meeting eligibility requirements does not guarantee that you will be nominated.

PETL reserves the right to consider only certain types of new businesses or the purchase of existing businesses for economic development. Decisions are based on the economic situation of the New Brunswick labour market, current inventory, yearly nomination allocations distributed by IRCC, and any other factors determined by PETL.

1. Business requirements

Your business must be:

- a) of economic benefit to the province;
- b) 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);
- c) the continued operation of an existing business or the establishment of a new business;
- d) a private-sector, for-profit entity with the primary purpose of earning profits through the sale of goods and/or services; and,
- e) considered a “permanent establishment” as defined under subsection 400(2) of the Canadian Income Tax Regulations, 1985.

2. Economic benefit

Priority processing may occur for applications with business plans that have the greatest potential to create significant economic benefit through:

- a) increased value-added manufacturing or processing for New Brunswick exports;
- b) enhanced research and development;
- c) development of new products and/or services;
- d) development of innovative approaches to traditional businesses;
- e) development and/or enhancements of new technologies;
- f) the transfer of technology and specialized knowledge to New Brunswick;
- g) providing products and/or services to an under-served local or regional market;
- h) immediate needs identified in specific regions or communities; and
- i) other, as determined by PETL.

3. Investment

When investing in a business, you must:

- a) make an eligible investment of not less than CAD \$150,000 before tax., PETL 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;
- b) control at least 33.3% equity in the business.

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

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

- a) Business Premises, including:
 - i. building and/or land to a maximum of 25% of your total eligible investment or actual cost, whichever is lower; and
 - ii. property improvements or leasehold improvements that increase the value of the business premises to a maximum of 25% of your total eligible investment or actual cost, whichever is lower.
- b) Office equipment used by employees to enable them to perform their day-to-day duties may include, for example:
 - i. book cases; chairs; communication devices; computers and laptops; desks; file cabinets; fire extinguishers; first aid kit; hardware including printers, scanners and shredders; light fixtures; office furniture; photocopier recycling bin; safe; stationery; and tools and devices.
- c) Equipment necessary for use in primary production and manufacturing of goods including, but not limited to (100% of total investment):
 - i. machinery; and
 - ii. tools; and
 - iii. shipping, installation and testing of equipment.
- d) Initial inventory to a maximum of 50% of your total eligible investment or actual cost, whichever is lower. Initial inventory is considered to be inventory purchased up to the opening day of your business.
 - i. raw materials, components and supplies
- e) Professional services from North American companies including marketing, promotions and services in connection with establishing the business to a maximum of 4% of your total eligible investment or CAD \$10,000, whichever is lower.
- f) Vehicle to a maximum of 5% of your total eligible 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.

FYI: The following Government of Canada website explains the use of a vehicle for business and tax purposes which may be useful for your business: <https://www.canada.ca/en/revenue-agency/services/tax/businesses/small-businesses-self-employed-income/business-income-tax-reporting/business-expenses/motor-vehicle-expenses.html>

4. Purchasing an established New Brunswick business

If buying an existing business, you must demonstrate to PETL that the business:

- a) 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;
- b) will be purchased at a proven fair market value;
- c) has achieved a proven net profit for at least two of the previous three years as demonstrated by audited financial statements and corporate tax assessments issued by Canada Revenue Agency;
- d) will provide for the continued employment to existing staff on similar terms and conditions. (**Note:** if the business already has one or more full-time employees who are permanent residents or citizens of Canada, it meets the requirement “**Part 2: 5.**” on the next page);
- e) is not in receivership and/or has not filed for bankruptcy for the three years prior to purchase date; and
- f) Goodwill may not exceed 10% of the net book value when purchasing a profitable business.

5. Creating jobs in New Brunswick

The business must create at least one full-time job for a permanent resident or citizen of Canada living in New Brunswick. The one full-time job cannot include you, your spouse or common-law partner, your dependent children and/or other family members. Full-time means that an employer is expected to provide a minimum of 30 hours per week of work to their employee(s).

6. Operating the business in New Brunswick

With respect to operating the business, you must:

- a) 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 because of income earned or other business activity;
- b) 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;
- c) comply with all Canadian laws in establishing, purchasing and maintaining the business; and
- d) obtain necessary licenses/permits from all applicable municipal, provincial and/or federal authorities.

7. Active management role in business

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

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

8. Net worth verification report

If you receive an ITA, you must engage a professional accounting service provider, designated by PETL, 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:

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

The service provider will send a copy of the report directly to PETL and to you. The report will be used in the assessment of your application. Notwithstanding the conclusions of the report, PETL 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.

There are currently three designated Personal Net Worth Verifiers from which to choose:

<p>Grant Thornton LLP Nick Ross 570 Queen St, 4th Floor PO Box 1054 Fredericton, NB E3B 5C2 Tel: 506-858-2525 Fax: 506-453-7029 Email: NBimmigration@ca.gt.com Website: www.grantthornton.ca</p>	<p>MDD Forensic Accountants Jarrett Reaume 1959 Upper Water Street, Suite 1301 Halifax, NS B3J 3N2 Tel: 902-406-8886 Fax: 902-422-2388 Email: jreaume@mdd.com Website: https://mdd.com/</p>	<p>MNP LLP Roy Tong, Senior Manager, Provincial Nominee Program Services Suite 2200, MNP Tower, 1021 West Hastings St. Vancouver, BC V6E 0C3 Tel: 1-778-374-2102 Fax: 604.685.8594 Email: NBPNP@mnp.ca Website: http://www.mnp.ca</p>
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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.

If you did not choose one of the designated Personal Net Worth Verifiers listed above, your application will be refused.

If you choose a designated Personal Net Worth Verifier listed above to aid with your Business Plan, your application will be refused.

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

9. Presence in New Brunswick

During the establishment of your business, you must:

- reside in New Brunswick 75% of the time of your Business Establishment Period (BEP), and
- reside within 100 kms of your place of business.

10. Site Visit

Prior to receiving a nomination certificate, PETL will conduct a site visit and interview with you at the business premises to verify compliance with the terms and conditions set out in the signed and dated Business Performance Agreement (BPA). A site visit and interview will be scheduled:

- after PETL receives the Request For Nomination form (NBBIS-006);
- after PETL confirms the business has been operational for a minimum of 12 months; and
- after PETL reviews the submitted financial information to confirm the eligible investment obligations are met.

During or prior to an official site visit, 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 licenses; bank statements; invoices showing proof of eligible investment; financial statements prepared by a certified or chartered accountant; business income tax assessments; and payroll documents. Unannounced site visits may occur during the establishment of your business.

11. Eligible Seasonal Businesses

Agriculture: Some agricultural businesses may be eligible:

- a) Minimum operating time 9 out of 12 months in a calendar year;
- b) Minimum farm size 100 hectares;
- c) Agricultural business plans will be evaluated by an authority committee prior to sending an ITA.

Tourism: Some tourism businesses may be eligible:

- a) Minimum operating time 9 out of 12 months;
- b) Minimum operating time 6 out of 12 months if eligible equity investment exceeds \$1 million CAD;
- c) Tourism business plans will be evaluated by an authority committee prior to sending an ITA.

12. Key sectors

The list below is not intended to be exhaustive. PETL reserves the right to modify the list:

- a) manufacturing;
- b) information and communication technology (ICT);
- c) cybersecurity;
- d) value added wood;
- e) agriculture;
- f) aquaculture;
- g) tourism;
- h) digital health;
- i) food and beverage;
- j) contact/call centres;
- k) energy innovation; and
- l) aerospace and defense.

13. Ineligible businesses

The list below is not intended to be exhaustive. PETL reserves the right to modify the list of excluded business activities and/or characteristics at any time. The following business activities are ineligible for the NB Business Immigration Stream:

- a) 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;
- b) bed and breakfast accommodations;
- c) coin operated businesses;
- d) consultancy (business or agency that offers expert professional advice in a field);
- e) online language and educational training centers;
- f) e-commerce or online businesses;
- g) facilities that provide temporary residents and/or newcomer's settlement services;
- h) cooperative (business or organization owned and operated by its member);
- i) domain names;
- j) hobby farm for personal consumption or use that does not generate a primary source of income;
- k) brokerage businesses (a business that derives its prime source of income from acting as an intermediary for buyers and sellers);
- l) 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);
- m) home-based and/or businesses operating from a residential property;
- n) landlord property and rental management;
- o) inn or boutique hotel that has less than five rental units with revenues less than CAD \$100,000;

- p) not-for-profit businesses and organizations;
- q) 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;
- r) professional practices and services where the applicant fails to provide proof of licensing and/or accreditation in New Brunswick;
- s) 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);
- t) is conducted remotely from a jurisdiction outside New Brunswick;
- u) 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 (exceptions for Tourism and Agriculture listed in previous section).
- v) promotes and/or sells controlled substances and illegal drugs, prescription drugs and items used to manufacture controlled substances and/or drug paraphernalia;
- w) 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
- x) any business, that by association could bring the department into disrepute.

14. Exploratory visits

If you are planning to live in New Brunswick and to operate a business here, PETL encourages you to visit the Province to assess the viability of your business. The exploratory visit must be a minimum of five full business days, although longer trips are recommended. Travel days, and statutory holidays and weekends are not to be included as part of the minimum five full business day requirement. PETL will 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:

- a) New Brunswick business owners;
- b) regional economic development officers;
- c) chamber of commerce officials;
- d) industry association officials;
- e) commercial bankers;
- f) commercial and/or residential real estate agents;
- g) business brokers;
- h) accountants that provide advice on business organizations, evaluations, book keeping and taxation;
- i) legal counsel that aids with legal transfers, purchase agreements, etc.; and
- j) 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:

- a) 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
- b) 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
- c) 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.

Prospective Immigrants 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. PETL will 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).

Note: to be considered, an exploratory visit must have taken place within the 12 months prior to your application submission to the NB Business immigration stream.

15. You intend to reside in New Brunswick.

It is your responsibility 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: Selection Factors

The NB Business Immigration Stream is open to entrepreneurs or senior managers, living in Canada or abroad, who are ready to establish, operate and actively manage a business while living and settling in New Brunswick permanently. To apply to the stream, you must make sure that you meet all eligibility requirements. If all eligibility requirements have been met, you will be assessed according to the following selection: age, language, education, personal net worth, business ownership and/or senior management experience, business concept and adaptability. A minimum of **65 of 100 points** is required to be successful.

1. Age

You must be between 21-59 years of age. Your age is assessed as of the day that a complete application is submitted to PETL in response to an Invitation to Apply (ITA).

Calculate your score:

Age	Points	Max points
21 – 29	5	10
30 – 49	10	
50 – 59	5	

2. Official languages

To meet the language requirement, you must submit valid test results from a designated testing organization to show you have obtained a minimum score equal to or greater than a Canadian Language Benchmark (CLB) 5 for English or Niveaux de compétence linguistique canadiens (NCLC) 5 for French in all four language abilities: reading, writing, listening and speaking.

A speaker with benchmark of 5 can maintain conversations in small groups and possesses a range of common everyday vocabulary. It means you can communicate in common and predictable contexts about basic needs, everyday activities and familiar topics of immediate personal relevance.

Calculate your score:

First official language	Listening	Reading	Writing	Speaking	Max points
CLB 7+	5	5	5	5	20
CLB 6	4	4	4	4	
CLB 5	3	3	3	3	
Second official language					
CLB 5+ in all four language abilities					5

Valid language test results must be from one of the following designated language-testing organizations:

- International English Language Testing System (IELTS) General Training;
- Canadian English Language Proficiency Index Program (CELPIP) General;
- Test d'évaluation de français pour le Canada (TEF Canada); or
- Test de connaissance du français pour le Canada (TCF Canada).

Your test results will be considered valid for the two years from the date of issuance. Test results must be less than two years old when you submit your application to IRCC for PR, should you receive a nomination certificate. The following table shows the minimum scores required in each of the language proficiency tests to meet CLB5.

Language proficiency test	Reading	Writing	Listening	Speaking
IELTS General	4.0	5.0	5.0	5.0
CELPIP General	5	5	5	5
TEF Canada	151-180	226-270	181-216	226-270
TCF Canada	375-405	6	369-397	6

3. Education

You must, at a minimum, have a Canadian secondary (high school) diploma or a foreign high school diploma equal to a Canadian credential. If you have a foreign education, you will need an Educational Credential Assessment (ECA) report from a recognized organization to show that your credential is valid and equal to a Canadian credential. If you already have an ECA report, it must be less than five years old when IRCC receives your PR application, should you receive a nomination certificate. You do not need an assessment for a Canadian degree, diploma or certificate.

To obtain an ECA Report, you must be assessed by an organization or a professional body designated by IRCC. They will give you a report that tells you what your education is equal to in Canada. Once you choose a designated organization or a professional body, they will tell you how to submit your documents to get your assessment. Designated organizations include:

- a) Comparative Education Service (CES)
- b) International Credential Assessment Service of Canada (ICAS)
- c) World Education Services (WES)
- d) International Qualifications Assessment Service (IQAS)
- e) International Credential Evaluation Service (ICES)
- f) Medical Council of Canada (professional body for doctors)
- g) Pharmacy Examining Board of Canada (professional body for pharmacists)

Processing times and costs may vary by organization or professional body. For more information about ECAs visit: www.cic.gc.ca/english/helpcentre/answer.asp?qnum=681&top=29

Note: You must indicate to the organization that you are requesting the ECA for purposes of applying to the NBNP and request that a copy of your report be sent to NBNP. Where possible please ensure the ECA is sent electronically to es-ve@qnb.ca.

Calculate your score:

Education – Canadian, or equivalent	Points	Max Points
Post-Graduate Master’s degree or Ph.D. Awarded by a graduate school of a college or university, after completion of a Bachelor’s or Master’s degree	20	20
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	16	
Post-Secondary diploma Awarded in a specific trade that required at least two years full time study after high school	13	
High School diploma Awarded by a secondary school	10	

4. Personal Net Worth

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

“Personal net worth” means value of total assets minus 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 \$500,000. Your personal net worth must be legally obtained and must be verified by a third-party professional designated by PETL. You must disclose your full net worth. Inheritances, donations and gifts received less than six months before an application is received by PETL 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.

5. Business Ownership / Work experience

As a business owner you may be awarded up to a maximum of 15 points considering:

- a) you must be the business owner (of at least 51%) for at least three out of the last five years; and
- b) be responsible for supervising at least two employees.

Based on your senior management experience you may be awarded up to a maximum of 9 points.

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

Calculate your score:

Business ownership, or	Years of experience	Points	Max points	
Candidate must be minimum 51% owner of a private sector company, involved in the day-to-day operations as the primary decision maker, and responsible for supervising at least two full-time employees	10 in the last 10	15	15	
	6–9 in the last 10	12		
	3 in the last 5	8		
Senior management experience, or	Years of experience	Points		
Candidate must be a senior manager in a for-profit company, and involved in the day-to-day operations as a primary decision maker responsible for supervising at least two full-time employees	10 in the last 10	9		
	6-9 in the last 10	7		
	3 in the last 5	5		
Shareholder - investment	Years of experience	Points		
Candidate who owns shares in other businesses but does not have an active day-to-day managerial role in the business	any	0		

6. Business Concept

You must submit a business concept with your EOI. You may be awarded up to 25 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.

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. Calculate your score.

<i>Business plan - economic benefit to New Brunswick</i>	Points	Maximum points
Candidate visited NB for a minimum of 5 business days within one year (12 months) previous to applying and has included the trip report with the EOI	5	25
Candidate will transfer minimum 5 years of business ownership experience to the same industry and sector in New Brunswick	4	
Business is located outside of the greater Fredericton, Saint John and Moncton regions (more than 20 kms from city center)	5	
Eligible investment is greater than \$500,000 CAD, or	3, or	
Eligible investment is between \$150,000 CAD and \$499,999 CAD	2	
Candidate included relevant statutes, regulations, by-laws and accreditation requirements related to their business plan	3	
Candidate included relevant and detailed market research related to business plan	5	

7. Adaptability

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.

<i>Adaptability – spouse or common-law partner</i>	Max 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
Completed at least six months of continuous full-time employment in New Brunswick, or	
Meets the minimum level CLB 5 in English or NCLC 5 in French in all four language abilities (i.e. reading, writing, listening, speaking)	

Part 4: Application Process

The following section outlines the steps required to obtain permanent residence to Canada.



Step #1 PR Readiness

When applying to any of New Brunswick's immigration streams, you must be PR Ready. In the New Brunswick Express Entry Stream, it means that you meet all minimum eligibility requirements and selection factors and have all the required documents on hand to prepare and submit a complete and correct application to the Government of New Brunswick and to the Government of Canada.

Step #2 Online registration

You first create a candidate profile in the Immigration New Brunswick (INB) online system (<https://inb.gnb.ca/>). You can check the most up-to-date information regarding the status of your application at any time by logging in to your account and access *My Dashboard*.

Updating of personal information

You are responsible for updating your profile and ensuring that all required information is accurate, current and up-to-date throughout all stages of the immigration process. You must notify PETL of any changes in your life circumstances throughout the application process, including but not limited to: family composition, marital status, country of residence, employment, contact information, decrease in salary, change in immigration status, etc. Failure to notify PETL of any changes may result in the refusal of your application.

Step #3 Expression of Interest (EOI)

You then submit an EOI indicating your interest in applying for permanent residence through the NBNP. An EOI is not an application; it is an expression of your interest to apply for immigration through the NB Business Immigration stream.

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

- You have visited New Brunswick for at least five business days within the previous 12 months prior to submitting your EOI; or
- You or your spouse have been awarded a diploma or certificate that required at least one year of full-time study at a post-secondary institution in New Brunswick after completion of high school; or
- You or your spouse have worked 30 hours per week for at least 6 consecutive months in a high-skilled occupation (NOC O, A, B) for a company located in New Brunswick in the last two years; or
- You or your spouse have family members (i.e., son or daughter over the age of 18 years, brother, sister, mother, father, grandparents, aunt and/or uncle) who are Permanent Residents or citizens of Canada living in New Brunswick for at least 12 months.

Having a higher EOI score does not guarantee priority over a candidate with a lower score. A well-researched business concept that demonstrates the potential to provide significant economic benefit to the province has a greater likelihood to receive an ITA.

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 consider your strengths and weaknesses.

Applicants will not receive feedback on Business Plans and amendments will not be permitted. You must provide sufficient evidence in your business plan and prove the feasibility of your business plan. As per the program criteria, Business Plans must demonstrate an economic benefit to New Brunswick.

PETL reserves the right to have your plan assessed by other provincial departments or economic development groups to:

- a) assess the overall quality of the plan;
- b) determine if you conducted enough due diligence in the preparation of the plan;
- c) assess the feasibility of operating the plan in New Brunswick;
- d) assess the likelihood of becoming economically established by implementing the plan; and
- e) take into consideration any other factors as determined by PETL.

EOIs will remain in the pool for a period of 12 months. If after 12 months a candidate does not receive an ITA, they can re-apply to the program. If more than one EOI is submitted within a 12-month period, PETL does not guarantee subsequent EOIs will be assessed.

Step #4 Invitation to Apply (ITA)

Selected candidates will receive an ITA informing them to submit a full application online. The number of ITAs issued is dependent on annual processing targets and capacities.

You have up to 90 calendar days from the date of the ITA to submit a complete application via the New Brunswick online system. If you fail to submit a complete application by the deadline, your ITA will be automatically removed and you will have to start the process again.

An ITA does not guarantee that your application will be approved. If you receive an ITA, and you submit your application, your application may be refused if you do not meet eligibility requirements and selection factors as outlined in this guide.

Step #5 Submission of Provincial Application to PETL

Once you have submitted your complete application online and paid the processing fee, PETL will conduct a full review of your application and it will be assessed according to eligibility requirements and selection factors outlined in this guide.

The stream under which you apply cannot be changed once you submit your application. If you do not meet the requirements of the category under which you registered, your application will be refused. You may apply under another stream providing you meet the eligibility requirements.

Additional information for submitting your application

PETL may request additional evidence and information as reasonably required to verify and process your application. Failure to provide such information in a timely manner may result in the refusal of your application. Failure to provide the information within the timeline indicated by PETL may result in the refusal of your application.

Interview

PETL may require you to participate in an interview as reasonably required to verify information related to your application, or any other reason to be disclosed at the time of the request. The interview will be held in your preferred language of English and/or French. Interpreters are not permitted during the interview. The format, location and time of the interview will be determined by PETL. Failure to attend your scheduled interview may result in the refusal of your application.

Age of dependent children

The age(s) of your dependent children, if any, are locked in, for federal immigration requirements, at the time of application to PETL. The date you create your online profile or receive an ITA is not considered the lock-in-date.

Disclose previous immigration applications

You must disclose any immigration applications you made to another provincial or federal immigration program and provide copies of all relevant correspondence, regardless of the outcome. Failure to provide such information will result in your refusal.

Withdrawing your application

You may voluntarily withdraw your application at any time without penalty other than in the case of suspected or actual misrepresentation. Processing fees will not be returned.

Step #6 Letter of Support for a Work Permit

PETL will advise you and your representative, if applicable, of the final decision in writing and upload that decision to your online profile's dashboard.

Application approval

The decision to issue a Work Permit Letter of Support will be at the sole discretion of PETL. Prior to issuing a Work Permit Letter of Support, you will receive an email with instructions for submitting a signed and dated Business Performance Agreement (BPA) within 60 days of issuance of the email. Failure to comply with this deadline may result in the refusal of your application.

After receiving the Work Permit Letter of Support, you must apply to IRCC (<https://www.canada.ca/en/immigration-refugees-citizenship.html>) for your valid Work Permit. IRCC has sole discretion whether to issue you a Work Permit.

Application refusal

If it is found that you do not meet the eligibility requirements, your application will be refused. If your application is refused by PETL, you will receive a letter of refusal. There is no appeal process for refused applications. Processing fees will not be returned. You may choose to submit a new application once you meet program requirements.

Step #7 Establishing the Business & Provincial Nomination

After receiving your Work Permit, you are now permitted to work on establishing your approved business plan.

Within **1 month** following your arrival date in Canada, you must report in writing to PETL and submit to PETL the Report Of Arrival form ([NBBIS-004](#)).

Within the first **9 months** following your arrival date in Canada, your business must be open and you submit to PETL the Report of Business Opening form ([NBBIS-005](#)).

Within **2 years** following your arrival date in Canada, you must have operated your business for one year according to the terms and conditions set out in the signed and dated Business Performance Agreement (BPA). This two-year period is referred to as the Business Establishment Period (BEP). It is the fixed period commencing on your arrival date in Canada and ending in 24 months.

Failure to establish your business within this period will result in the refusal of issuing a nomination certificate.

Once you have operated the business for a minimum of **12 consecutive months** and have met the conditions outlined in the Business Performance Agreement, you may submit a Request For Nomination form ([NBBIS-006](#)) to PETL using the email address es-ve@qnb.ca. You have one month to prepare all documents in the 13th month after 12 months business operation.

The business commencement date is the date when the business started operations in New Brunswick and cannot begin prior to your arrival date; and it will not be considered the date the business is registered in the province.

PETL will require certain documentation, including but not limited to, your business financial information. PETL will also schedule a site visit with you at your place of business and conduct an interview to assess whether all conditions of the Business Performance Agreement have been met. If successful, you will be issued a nomination certificate.

Sample Timeline #1:	
September 1, 2020	- Work Permit issued by IRCC
September 25, 2020	- Arrival in Canada
October 25, 2020	- <i>Report Of Arrival</i> form (NBBIS-004) submitted to PETL on or before this date
March 25, 2021	- <i>Report Of Business Opening</i> form (NBBIS-005) submitted to PETL on this date
March 25, 2022	- One full year business operation
April 25, 2022	- <i>Request For Nomination</i> form (NBBIS-006) submitted to PETL on or before this date.
Sample Timeline #2:	
September 1, 2020	- Work Permit issued by IRCC
November 1, 2020	- Arrival in Canada
December 1, 2020	- <i>Report Of Arrival</i> form (NBBIS-004) submitted to PETL on or before this date
August 1, 2021	- <i>Report Of Business Opening</i> form (NBBIS-005) submitted to PETL on or before this date
August 1, 2022	- One full year business operation
September 1, 2022	- <i>Request For Nomination</i> form (NBBIS-006) submitted to PETL on or before this date.

Step #7 Request Permanent Residence (PR) Visa

After receiving your nomination certificate from PETL, you can apply to IRCC for PR (<https://www.canada.ca/en/immigration-refugees-citizenship.html>). IRCC will assess the application based on Canadian immigration law and make the final decision for granting a PR visa. PETL is not responsible for any decision made by IRCC to grant or deny permanent status. You must contact IRCC directly for updates on the status of your application. You must maintain the conditions of your nomination while you are awaiting a decision on your PR application.

The nomination certificate will be valid for nine months from the date of issuance and is considered valid if you submit a complete application for PR before the expiry date on the nomination certificate.

Extending a nomination certificate

PETL will only issue a nomination extension if you are able to demonstrate that you submitted your application for permanent residence to IRCC before the nomination expiry date listed on the Confirmation of Nomination and it was later returned by IRCC. Other extenuating circumstances may be considered on a case-by-case basis. A maximum of one amendment may be issued by PETL; and if granted, the amended certificate is valid for three months from the date of issuance.

Withdrawing your nomination certificate

You may voluntarily withdraw your nomination at any time without penalty other than in the case of suspected or actual misrepresentation. Processing fees will not be returned.

Withdrawing a nomination certificate (by PETL)

PETL may withdraw your nomination at any time prior to the issuance of a PR visa by IRCC, if:

- You fail to comply with the terms and conditions under which you have been nominated.
- You fail to inform PETL 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 PETL with false or misleading information relating to a relevant matter that causes or could cause PETL to make an error in the processing of the application, or the decision to issue a Nomination Certificate.
- It is proven that you lack the genuine intention to live in New Brunswick, or
- PETL determines you are ineligible for any other reason.

If IRCC approves your PR application, you will be issued a PR visa which will enable you to become a Permanent Resident of Canada.

Part 5: Document Checklist

You are required to submit a complete electronic application within 90 calendar days of being issued an ITA. The application and all supporting documents must be submitted electronically through your online account.

All documents must be provided as PDF files. You will have to scan paper documents into PDF files and convert electronic documents into PDF files. Scanned documents:

- a) must not exceed an upload size of 2 GB;
- b) must be clear enough to read;
- c) with images, should be scanned in color; and
- d) with text-only, may be scanned at a grayscale setting to reduce the file size; and must not be enhanced or edited.

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.

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 PR visa, your application will be refused.

All documents must be in either English or French. If a supporting document is in a language other than English or French, you must upload a copy of the original document as well as a version translated by a certified translator. Translators must be certified by a regulatory body and cannot be a family relative, or work for a paid consultant who is preparing your application. You must also supply proof from the translator describing their translation ability or certification.

The comprehensive Business Immigration stream Document Checklist ([NBBIS-001](#)) can be located on www.welcomenb.ca.

Part 6: Processing Fees

PETL charges fees to partially recover the cost of providing some services to the public. The fees are based on the concept that persons specifically requesting a service should pay for that service. Fee levels 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. Processing fees must be paid prior to submitting your online application. Your spouse or common-law partner and dependent children are included in the processing fee. Processing fees are **non-refundable**.

The \$2,000 CAD processing fee is payable by Visa, MasterCard, Discover, Amex, INTERAC Online or Visa/Debit.

Note: 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. These fees are not payable to PETL.

Part 7: Non-Compliance

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

- report your arrival date within 1 month of arrival in Canada;
- open your business within 9 months after the arrival date in Canada;
- operate the business for a minimum of 12 consecutive months after business opening date; and
- comply with the terms and conditions set out in the signed and dated Business Performance Agreement.

Part 8: Using A Representative

You are not required to hire a representative. Using one will not draw special attention to your application and does not mean an ITA will be sent or the issuance of a nomination certificate. You can get all the forms and instructions you need to apply for nomination for free on our website. If you follow the instructions, you should be able fill out the forms and submit them yourself. You may choose to use a representative to provide immigration advice or help. If so, you must disclose that you have received assistance in preparing an application whether or not the person is compensated or receives a benefit as a result of such assistance. Failure to declare such assistance will result in the refusal of your application.

Immigration representatives may:

- explain and give advice on your immigration or citizenship options;
- help you choose the best immigration program for you;
- provide assistance with your business plan;
- may fill out and submit your application on your behalf;
- communicate with PETL on your behalf;
- advertise that they can give immigration or citizenship advice; and
- provide advice on your business concept, business plan and/or market research information.

Representatives could be:

- immigration consultants;
- lawyers;
- friends;
- family members; or
- other third parties.

Types of representatives

There are two types of representatives, paid (must be authorized) and unpaid. Representatives must meet the requirements for authorized representatives stated below.

1. Authorized paid representatives

Only some people can charge a fee or receive any other type of payment. These people are called “authorized representatives.” They are:

- 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
- citizenship or immigration consultants who are members in good standing of the Immigration Consultants of Canada Regulatory Council.

Remember: if you pay a representative or compensate them in any way in exchange for their services, PETL considers that as paid and they must be authorized. PETL will not deal with representatives who charge a fee but are not authorized. If you use an unauthorized representative, in Canada or abroad, PETL may return your application or refuse it.

2. 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.

PETL only considers uncompensated representatives or third parties as unpaid if they do not charge fees or receive any other compensation or benefit for providing immigration advice or related services. If your uncompensated representative or third party is found by PETL to have charged fees for, or otherwise benefited from acting as your representative, PETL will revoke such person’s eligibility to serve as your representative and will refuse your application.

Declaration and consent

To protect your privacy, you need to give us your written consent before we will share any of your personal information with anyone or give anyone access to your application information. If you wish to use the services of a paid or unpaid representative, you must complete the *Use of a Representative Form* (NB-007) and include it with your application. It confirms that you have authorized the individual named on the form to represent you and act on your behalf with PETL. This may include representation throughout the Expression of Interest (EOI), application and assessment processes, and communication with PETL as required, including disclosure of personal and/or confidential information to your representative.

Correspondence from PETL will be sent to you and your representative. Therefore, it is required that you include your personal contact information on the application. At its discretion, PETL may contact you directly to request additional evidence or information to verify information in your EOI and/or application to determine if you meet or continue to meet all program requirements.

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 PETL 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 may result in the refusal of your application. You are responsible for ensuring your application is updated to reflect any change in representative.

Beware of fraud

You are responsible for all the information in your application even if a representative completes it for you. It is against the law to give false or misleading information in your application. If the information on your application is false or misleading, your application will be refused.

Part 9: When Not To Apply

You are not eligible to apply if you:

- a) already have an active application registered with PETL;
- b) own property and/or a business in another province or territory in Canada;
- c) have an immigration application in process in another province or territory in Canada;
- d) have been refused for misrepresentation through any immigration program;
- e) living in Canada illegally;
- f) have been refused admission to, or ordered to leave Canada or any other country or territory;
- g) are working in Canada without authorization;
- h) are living in Canada and are out of legal status and have not applied for restoration of status within 90 days of having lost your status;
- i) are an unresolved or failed refugee or humanitarian and compassionate claimant living in Canada;
- j) have not been lawfully admitted to your current country of residence;
- k) are not lawfully residing in your current country of residence;
- l) are engaged in full-time post-secondary education in Canada;
- m) have been offered a full-time, seasonal, part-time or casual job in New Brunswick;
- n) are registered in the federal Live-in Caregiver Program;
- o) your accumulated personal net worth cannot be verified by a third party; or
- p) you are a passive investor (i.e. an individual who intends to invest in a business in New Brunswick with limited to no involvement in the day-to-day management of the business);

New Brunswick Provincial Nominee Program (NBPNP): Business Immigration Stream Basic Process Map

