



Your Guide to the New Brunswick Entrepreneurial Stream

New Brunswick Provincial Nominee Program

***Department of Post-Secondary Education, Training and Labour
Population Growth Division***

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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 shall be considered correct. Please check our website regularly to ensure you are using the most up-to-date version of the application program guides.

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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.

The New Brunswick 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.

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

When applying to any of New Brunswick's immigration streams, you must be Permanent Resident (PR) Ready. In the New Brunswick Entrepreneurial 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. 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.

NBNP applications require two stages of approval before PR status may be obtained.

Stage 1: Application to the NBNP for a nomination certificate

If you meet all eligibility criteria and selection factors, you can apply to the NBNP by registering online and submitting an Expression Of Interest (EOI). If an Invitation To Apply (ITA) is sent to your attention, 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.

Stage 2: Application to Immigration, Refugees and Citizenship Canada for a PR visa

If you are nominated by PETL, you may then apply to the Government of Canada for a PR visa, through Immigration, Refugees and Citizenship Canada (IRCC). 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 PETL.

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, entrepreneurial 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.

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 submitted an application 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 New Brunswick Entrepreneurial Stream process including registration, EOI, application 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 enterprises or the purchase of existing businesses for the purpose of 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:

- 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

2. Economic benefit

Priority processing may occur for 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 PETL.

3. Investment

When investing in a business, you must:

- make an eligible business investment of not less than CAD \$250,000 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;
- control at least 33.33 per cent equity in the business.

Please note: total business 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 investments must be derived from your personal net worth and may include but are not limited to:

- a) 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.
- b) 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 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:
 - Machinery (100% of total investment);
 - raw materials, components and supplies (maximum 50% of total investment); and
 - shipping, installation and testing of equipment (100% of total investment)
- d) 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.
- e) Intangible investments including:
 - goodwill and/or intellectual property may not exceed 10 per cent of the net book value of the business.
- f) 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.
- g) 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.

4. Purchasing an established New Brunswick business

If buying an existing business, you must demonstrate to PETL 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.

5. 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 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 each of these employees.

6. 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; and
- 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 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;
- 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.

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:

- 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 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 two current designated Personal Net Worth Verifiers from which to choose:

| | |
|---|---|
| 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/ | 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 |
|---|---|

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.

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

9. Site visits

PETL may conduct two to three 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 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.

10. 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 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
- any business, that by association could bring the department into disrepute.

11. 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 shall not be included as part of the minimum five full business day requirement. PETL 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. PETL 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).

12. 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 New Brunswick Entrepreneurial Stream is open to foreign national 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 22-55 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 in years | Maximum points |
|---------------------|-----------------------|
| 22-34 | 5 |
| 35-50 | 10 |
| 51-55 | 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:

| 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 |

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 two-year post-secondary education after 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 don't 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:

- Comparative Education Service (CES)
- International Credential Assessment Service of Canada (ICAS)
- World Education Services (WES)
- International Qualifications Assessment Service (IQAS)

- International Credential Evaluation Service (ICES)
- Medical Council of Canada (professional body for doctors)
- 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 | 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.

5. Business Ownership / Work experience

As a business owner you may be awarded up to a maximum of 20 points considering:

- 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 you may be awarded up to a maximum of 12 points.

- you manage the organization, a department, division, or component of the organization; or an essential function within the organization; and
- you are the senior manager in a business in five out of the last five years; and
- you are responsible for supervising at least two employees; and

- you have the authority to hire and terminate employment, or recommend these and other personnel actions, such as promotion and leave authorization; and
- you are 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.

Calculate your score:

| 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 with your EOI. 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.

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.

| 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

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 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 Entrepreneurial 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. 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.

Step #2 Online registration

You must create an online candidate profile. 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

You must submit an EOI indicating your interest in applying for permanent residence through the NBPNP. An EOI is not an application; it is an expression of your interest to apply for immigration through the Entrepreneurial Stream.

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.
- c) You or your spouse 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) You or your spouse 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) You or your spouse 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).

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.

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.

Step #4 Invitation to apply

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 for nomination. 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.

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 strengths and weaknesses.

PETL reserves the right to have your plan assessed by other 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 PETL.

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 shall 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 shall 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 Provincial application decision from PETL

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 nomination certificate shall be at the sole discretion of PETL. If you are nominated, you will receive a letter with instructions for submitting a signed and dated Business Performance Agreement and the deposit of \$100,000 CAD to PETL within 60 days of issuance of the letter. Failure to comply with this deadline may result in the refusal of your application.

After receiving your nomination certificate, you can apply to IRCC for PR. Remember, you must maintain the conditions of your nomination while you are awaiting a decision on your PR application.

The nomination certificate shall be valid for six 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.

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.

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 shall 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.

Step #7 Submission of federal application to IRCC

If you are granted a nomination by PETL, you are required to submit your application for a PR visa directly to IRCC prior to the expiry date indicated on your Certificate of Nomination. 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.

Step #8 Federal application decision from IRCC

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

Step #9 Post-Landing

- Within **30 days** following your landing date in Canada, you must report your landing, in writing, to PETL using the Report Your Landing form ([NB-013ES](#))
- Within **60 days** following your landing date in Canada, you must participate in a face-to-face meeting with PETL. You must provide:
 - a copy of the document(s) issued by Canada confirming you landing date in Canada for you and your dependents (i.e., Record of Landing, IMM 1000);
 - proof of your personal contact information in New Brunswick, including the mailing address, residential address (if different), email address and telephone number;
 - a written report outlining the steps taken to establish the business in New Brunswick; and
 - make a verbal presentation outlining the steps you have taken to settle in New Brunswick with your dependent family members.
- Within **180 days** following your landing date in Canada, you must participate in a face-to-face meeting with PETL. You must provide:
 - personal contact information in New Brunswick, including the mailing address, residential address (if different), email address and telephone number;
 - present a written report 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 PETL 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.
- Within **2 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 (BEP). 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 BEP shall not be extended.

- Within the **3 years** following your landing date in New Brunswick, or 1 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 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:

- must not exceed an upload size of 2 GB;
- must be clear enough to read;
- with images, should be scanned in color; and
- 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 Entrepreneurial Stream Document Checklist ([NB-002ES](#)) 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 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 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 to 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;
- 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 will 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

(03-2020)

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:

- already have an active application registered with PETL;
- own property and/or a business in another province or territory in Canada;
- have an immigration application in process in another province or territory in Canada;
- have been refused for misrepresentation through any immigration program;
- living in Canada illegally;
- have been refused admission to, or ordered to leave Canada or any other country or territory;
- are working in Canada without authorization;
- 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;
- are an unresolved or failed refugee or humanitarian and compassionate claimant living in Canada;
- have not been lawfully admitted to your current country of residence;
- are not lawfully residing in your current country of residence;
- are engaged in full-time post-secondary education in Canada;
- have been offered a full-time, seasonal, part-time or casual job in New Brunswick;
- are registered in the federal Live-in Caregiver Program;
- your accumulated personal net worth cannot be verified by a third party; or
- 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);