

Steps	Procedures for Employee of a Relocating Business	Look out for... and Helpful Hints
1	<p>Completed Signed Application (INZ 1000) Begin to tag relevant sections and/or Print/copy original documents</p> <ul style="list-style-type: none"> Evidence of NZTE support Statement from CEO providing name/address of business, benefits evidence, compliance, etc. Financial documents Employment evidence for PA. Marriage/partnership/living together past 12 months BC's PC's (national and local) <p>Required</p> <ul style="list-style-type: none"> IELTS/English for SA Birth Certificates Passports (certified or original) Medicals (IHS icon in AMS) Police certificates (in Staff Toolkit) & local PC's for Chinese applicants. <p>NSC if necessary (see instruction Z1.5)</p>	<ul style="list-style-type: none"> All documents must be originals, or certified originals, and have an accompanying English translation. Documents should be forwarded directly from the applicant/advisor. Some colour copies look real, so double check watermarks notaries, stamps, etc. Go to the Staff Toolkit icon on desktop and click on NZPC Check to access PC checks. For police checks, you must type the Client # and not the Application #. Print NZ police certificates to put in file. Double check if ASH-Residence instead of ASH for temporary visa.
2	<p>Initial assessment of missing evidence or documents in application.</p>	<ul style="list-style-type: none"> Decide if an information request is necessary
3	<p>Type Letter of Introduction (within 48 hours of getting folder)</p> <ul style="list-style-type: none"> Use Application #, then client name, and employer details in the TO: header of every email so you can track emails by application #. (Example; 12345678 John Wang- Golden Dragon Limited.) <p>Assess what evidence may need to be requested in the letter of introduction as an information request.</p> <p>Deadlines for information: 5 working days for Info Request and 10 working days for PPI</p>	<ul style="list-style-type: none"> Email introduction to PA- Check spelling, format, and be brief. Double check contact info before emailing. Make notes in Bring-Up and AMS about info requests and/or introduction. Request any documents required and make sure you have completed your initial assessment.
4	<p>Begin initial assessment</p> <ul style="list-style-type: none"> Medicals ASH, ASH w/conditions, or Not-ASH for residence. Character- Notarised national and local PC's (when necessary). BE2.15-English proficiency IELTS 4.0 (PA, SA, children over 16) SA's may pre-purchase English courses. 	<p>Letters in AMS-Click FORMS icon then go to NEW LETTER then "determine" and relevant template:</p> <ul style="list-style-type: none"> Residence PPI letter- V68 PPI Medical Assessor- V156a Character Issue PPI Residence- V319 or V319a for conceded character issue Character Waiver Residence- V320a.
5	<p>BE 3.1a. Evidence concerning the relocating business. Letter from CEO should provide:</p> <ul style="list-style-type: none"> name and location of the business relocating; and explanation of benefits to New Zealand; and confirms business will comply with all relevant employment and immigration laws business registration Be on letterhead or contain official stamp <p>BE3.1b. Evidence of offshore business operations and NZ if appropriate.</p> <ul style="list-style-type: none"> Cert. of Incorporation GST and other tax records and financial documents Lease/purchase agreements Invoices for supplies, construction, etc. Operational documents such as utility bills, Council rates, contracts, etc. 	<ul style="list-style-type: none"> The business may be moving to NZ or recently established, but it must demonstrate it is in establishment business cycle. The general rules for AIP and relocation of the business are found in BE5. If the business is not established yet, Sec. 49 conditions as per BE5c. are required.
6	<p>BE2.10 Compliance with employment and immigration law</p>	<ul style="list-style-type: none"> Holidays Act, ERA, etc. (Refer to R5.110)
7	<p>BE3.1c. and BE2.1b.- Evidence of NZTE support NZTE contact: s 9(2)(a) Investment Manager s 9(2)(a)@nzte.govt.nz 09 354-9446</p>	<ul style="list-style-type: none"> The INZ website and INZ form 1003 instruct the applicant must obtain NZTE support and NOT INZ. The link for NZTE is provided on the INZ website if advisor/applicant believes INZ should obtain this support. INZ is to "contact NZTE to check the relocating business has their support."
8	<p>BE3.1.1 Criteria for a business benefiting NZ. Business is introducing or enhancing existing:</p> <ul style="list-style-type: none"> Technology, management, or technical skills. New products services, export markets, employment, etc. 	<ul style="list-style-type: none"> Potential to be profitable within 12 months of relocating and sustain employment for duration of ERB visa.
9	<p>BE3.5a Evidence concerning the employee's role in the relocating business The letter from the CEO must provide should describe the PA's current role offshore and the intended role as a key employee in the relocating business to NZ.</p>	<ul style="list-style-type: none"> The CEO or company HR must explain why the employee is reasonably considered a key staff member. The key employee may be the owner of the business, but assess against bona fides and BM1 fit and proper person.

10	BE3.5b. Evidence of the PA's role in relocating the business to NZ. References, employment history, job descriptions, job assessments, letter from CEO, tax records, etc.	<ul style="list-style-type: none"> Fit and proper person requirements for directors, etc. Compliance with Immigration and Employment Acts.
11	BE2.5 Ineligibility for approval under any other INZ residence category	<ul style="list-style-type: none"> Assess against SMC, ERV, Investor, Partnership, etc. (BE4c)
12	Partnership/Living Together past 12 months & Children/Custody (legal right to bring child to NZ if partner not included.) <i>Check movements tabs in AMS, MC, Joint Accts, Utility Bills, Letters family/friends, photos, social media, etc.</i>	<ul style="list-style-type: none"> Custody of children, under 16 age, etc. Request updated evidence if the application has been in the queue for a long time.
13	Risk and Verification	<ul style="list-style-type: none"> Phone verification/GOOGLE/Info Alerts/etc. Bona fides Fit and proper person requirements
14	PPI if necessary after initial assessment of application	<ul style="list-style-type: none"> Ensure that policy instruction numbers match quoted policy instruction sections.
15	Assess PPI Response and then begin Write-Up Template RATIONALE- Be specific why you are (not) satisfied based on the evidence provided. <ul style="list-style-type: none"> Rationale- well-written (<i>spelling, grammar, concise, objective</i>) Accuracy- (<i>Dates, addresses, right instructions, etc.</i>) Logic- (<i>link between evidence and decisions</i>) Complete- (<i>all instructions and evidence assessed, info alerts, etc.</i>) Where appropriate: <ul style="list-style-type: none"> Reference IPT decisions and VisaPaks Clearly identify outstanding concerns not assessed. Comment on all active and expired information warnings in AMS. 	<ul style="list-style-type: none"> Print PPI and put in folder Use saved template for write-up/report Short cut- You may pre-type letter and add information as it comes in. You may use yellow highlighting to show what is missing or needs verification. Double check visa dates and application numbers. <u>Update Verification Triage and update write-up if there are any changes before 2pc.</u> Verify Contacts Tab filled in. Print when you are done and put into folder.
16	Do DETERMINATION and DECIDE and updates to AMS: <ul style="list-style-type: none"> You must update secondary applicant's English evidence until it says DONE by their names. NOTE: If applicants are native English speakers, you may use the OTHER EVIDENCE tab and write a note on evidence.	<ul style="list-style-type: none"> Do ENGLISH tab first for each applicant. Click red pencil to check boxes for determination, then do DETERMINATION tab questions. Check box "Record Decision Only". Enter PC date information into AMS
17	2PC check when all information is in and Write-Up/Report is done. <ul style="list-style-type: none"> Put in 2PC cabinet with the write-up on top inside ERB folder. 	<ul style="list-style-type: none"> Change case officer to Queue, ERV2PC and change location to Quality Control in AMS.
18	Correct Problems on Write-up/report (after 2PC and go back to QC to have it signed and/or QC'd)	<ul style="list-style-type: none"> Paste final write-up into AMS notes Change location back into your name in AMS.
19	Quality Tabs need to be done by the 2PC person. This cannot be done until you have done <i>Determination (tab at bottom)</i> and <i>Decision (green check mark with red plus sign at top)</i> .	<ul style="list-style-type: none"> Make sure your determination checks have all been completed. Check box "Record Decision Only".
20	Approval/Decline (or AIP Letter) ready to type up now. FORMS: (Go to forms icon, then New Letter , then "decide", then select <u>V140</u> for AIP or <u>V33a</u> for ERB decline. Final Approval letter is <u>V21e</u> . Delete parts of letter templates that are not relevant <ul style="list-style-type: none"> Double check contact info on letter. First entry within 12 months if offshore. BE6. Contract with Migrants to undergo English language training if SA(s) does not meet English requirements. Form <u>V13</u> Send AIP Decision Letter via email to applicants and/or by post with original documents to be returned and remove the passport required and migrant levy sections of the template, as these are no longer required. Decision Letter must include policy instructions (correct dates) as well as outstanding concerns.	<ul style="list-style-type: none"> Use the templates provided in AMS On the top right hand side is an icon that will bring up Template Letters. You need to be careful to delete inappropriate sections as highlighted on letter template. List documents to be returned in Decision Letter Do not save as final copy until you have double checked spelling, names, etc. as it cannot be changed afterwards. When you hit print, you must go to PRINT PREVIEW tab to actually print. When finalised, it will automatically notify AMS. Put copy of emailed letter in ERB folder.
21	BE5 and BE6.1 Resident visa Section 49 conditions Ensure that the applicant is added to the Section 49 conditions spreadsheet. Request spreadsheet contact from EWV/ERV manager.	<ul style="list-style-type: none"> PA must be employed by company for 24 mo. If responsible, PA must guarantee compliance with employment and immigration laws. Business must be relocated/established in NZ
22	Mail Final Decision Letter with original documents to be returned. (<i>BC's, Passports, photos, etc.</i>) Do not return notarised copies.	<ul style="list-style-type: none"> Put copy of FINAL APPROVAL LETTER in folder. Keep copy of Courier Post bar code with shipping # and add to folder. Put note in AMS.
23	Wrap-up of application: After all documents/passports have been returned to client, paste notes in AMS that file is completed and file in storage- NEW TO ONLINE.	<ul style="list-style-type: none"> Double check all your entries in AMS. Send original file TO ONLINE.
24	Put file in storage room.	<ul style="list-style-type: none"> Go back and double check AMS, notes, etc. one last time.

Entrepreneur Residence Visa Application – 6 Month Category

Application number: [REDACTED]

	Name	Client Number	Date of Birth
Principal Applicant	[REDACTED]	[REDACTED]	[REDACTED]
Partner	[REDACTED]	[REDACTED]	[REDACTED]
Dependent Child	[REDACTED]	[REDACTED]	[REDACTED]
Dependent Child	[REDACTED]	[REDACTED]	[REDACTED]

Lodgement Date: [REDACTED]

Business Name: [REDACTED]

Applicable Policy

This Entrepreneur Residence Visa application was lodged on [REDACTED]. The immigration instructions which are applicable to this application are under Entrepreneur BH (including BH2.1.5) and are the instructions which are in force at the date of lodgement.

Business Outline and Application Background

The applicants were first granted an EWV on [REDACTED]. The proposed business plan was to [REDACTED] (AN [REDACTED]). The business plan proposed that the applicant would invest \$[REDACTED].

The PA incorporated the company [REDACTED] on [REDACTED]. The PA holds [REDACTED]% of shares. The other shares are held by [REDACTED]. Evidence ([REDACTED]) has been provided to show that the business began operating on [REDACTED].

The applicants were granted the 'balance' of their EWV on [REDACTED]. The applicants were given an EWV which is valid until [REDACTED].

BH4.1– Criteria for successfully establishing a business in New Zealand & Requirements for applicants who have operated a business for at least six months

The following documents have been sighted as evidence of establishing a business in New Zealand which has been operating for at least six months:

- Certificate of incorporation
- Financial statements of the company for years ended 2016 and 2017
- Business bank statements

- Business invoices
- Staff employment agreements
- Employer monthly schedules from --/20-- to --/20--
- MPI registration
- Export documentation
- GST reports --/20-- to --/20--
- Agreement for purchase of the business
- Examples of marketing
- Business profile
- Supporting letters
- Business and stock photos

I am satisfied the PA meets the requirements at BH2.1.5(a)(iv) to have held an EWV at the time of lodgement.

The PA first arrived in New Zealand after the grant of their EWV on --/--/----. The PA has been in New Zealand for XXX days in the two years directly prior to the lodgement of this application (--/--/---- - --/--/----)

A verification phone call (detailed in the 'Risk & Verification' section below) was conducted on --/--/----. The PA was present at the business and was able to discuss the business activities they perform on a daily basis. The information provided during the phone call was consistent with the information provided in the application.

	31/03/2017
Revenue	\$ ----
Net profit/(loss)	\$ ----
Shareholder salary	\$ ----

This level of revenue would suggest that the PA has been actively involved in the business for at least six months.

Evidence that the PA has been full time involved in the management and operation of their business over six months is:

- Staff employment agreements signed by the PA
- Emails from the PA to -----
- Lease agreement signed by the PA
- Evidence of staff communication with the PA
- Export documentation showing PA's name

Given the above, I am satisfied that the PA has successfully established a business in New Zealand in which they have been self-employed for at least six months, and that they have met the requirements at BH4.1 and BB6.1.15.

The date on which the PA was first full time self-employed in their business was --/--/---- (as shown by -----).

BH2.1(d) and BH2.1.5(a)(ii) – Capital investment

The capital investment proposed in the original EWV business plan was \$-----.

The funds which were initially nominated at EWV stage were:

Funds	Bank Account Number/Details of Asset	Value
-----	-----	-----

The applicant has provided the following evidence of their funds transfer:

- Bank statements showing -----
- Currency exchange documents showing -----

I am satisfied that the investment capital, as stated in the business plan, has been transferred directly from the holder’s bank account(s) through the banking system to New Zealand.

OR

The transfer of the applicant’s investment capital has been previously assessed during the EWV/EWV ‘balance’ application (AN: -----).

	Business Plan	Actual
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
Total	\$ ----	\$ ----

I have checked that the proposed capital funds have been transferred to the PA’s business account.

I have confirmed that the actual capital investment listed above has come from the initially nominated funds. (only use this if the previous CO was not satisfied that the funds to NZ were from the nominated funds)

I note that the applicant proposed working capital as part of their investment. I have confirmed that this working capital has now been invested into the business in the form of -----.

The shareholder’s current accounts for the 2016 financial year show \$-----. The shareholder’s current accounts for the 2017 financial year show \$-----.
[If the PA has put money into the business in a different way, e.g. share capital, note this here]

I am satisfied the PA has not disinvested over the EWV period.

I am satisfied that the capital investment demonstrated meets the definition at BB3.5.10. I am also satisfied that the PA has made a capital investment of at least NZ\$500,000 in their business, and that the PA has met the requirements at BH2.1(d) and BH2.1.5(a)(ii).

The date on which the PA first made an investment of \$500,000 or more is --/--/---- (as shown by -----).

BH2.1.5(a)(iii) – Requirement to have created at least three ongoing and sustainable full time jobs for New Zealand citizens or residents

In the initial EWV application, the PA proposed that their business would create employment for -- full time employees.

The PA has provided employment agreements for -- employees, as well as evidence of immigration status showing that -- of the employees are New Zealand residents or citizens.

Employment agreements have been provided for the following staff:

Name	Immigration Status	Type of Agreement	Date of Employment	Salary
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/---- until --/--/----	\$ ----
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/---- until --/--/----	\$ ----
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/---- until --/--/----	\$ ----

The Financial Statements for year end 2017 show wages of \$-----. The Employer Monthly Schedules for --/--/---- to --/--/---- show wages of \$-----. I am satisfied that there is no meaningful discrepancy between these two figures.

Based on the information in the Employer Monthly Schedules, it appears that ----- and ----- are currently employed by the business.

I am satisfied that the employment created meets the definition at BB6.1.25.

In my phone call to the business on --/--/----, I was able to speak with ----- and ----- . They were able to describe their roles and hours. They were aware of what the PA does. The information they gave was consistent with the information the PA gave.

I am satisfied that the PA has created employment for at least three ongoing and sustainable full time jobs for New Zealand citizens or residents, and has met the requirements at BH2.1.5(a)(iii).

Further to this, I am satisfied that this employment demonstrates that the business can be considered to add significant benefit to New Zealand, and therefore the PA meets the requirements at BH4.10(a).

The date on which the PA first had created 3 full time, ongoing and sustainable jobs for New Zealand citizens or residents is --/--/---- (as shown by the employment agreement for -----).

BH4.10(a) – Requirement for a business to be considered to add significant benefit to New Zealand by promoting New Zealand’s economic growth

(if there are at least 3 FTE) As I summarised on the above section under BH2.1.5(a)(iii), I am satisfied that applicant meets BH4.10 (a) by creating - - full time employment position.

OR

(If there are at least 1 FTE) As I summarised on the above section under BH2.1.5(a)(iii), although the applicant’s business does not have at least 3 FTE, I am satisfied that applicant still meets BH4.10 (a) by creating at least 1 full time employment position.

OR

(if none of the employment are satisfied by us) As I summarised on the above section under BH2.1.5(a)(iii), I am unable to be satisfied that any of the claimed employment creation is genuine, therefore I am unable to be satisfied that applicant’s business is benefiting NZ by employment creation as per BH4.10(a)(iv), however, given that the PA’s business has generated \$--- of export turnover (details please refer my rational at BH4.10(b) section below), I am satisfied that the PA still meets BH4.10(a) by way of BH4.10(a)(iii).

Based on above, I am satisfied that the applicant’s business is meeting BH4.10(a).

OR

Although the applicant has not provided evidence demonstrating the business is benefiting NZ through ----- as proposed in the approved Business Plan; I, however, note that the evidence (I.E.-----) clearly shows that the business has been doing ----- and -----.

Therefore, I am satisfied that the business is benefiting NZ through ----- as per BH 4.10 a. (i – vi, need to be specified)

BH4.10(b) – Requirement to be trading profitably on the date of lodgement

The Financial Statements for year end 201- show revenue of \$----- . The GST returns for 04/201- to 03/201- show sales of \$----- . I am satisfied that there is no meaningful discrepancy between these two figures.

I consider the level of accounts receivable (\$-----) credible given the nature of the business. I am satisfied that this is genuine revenue.

I note that the business is currently meeting or exceeding the forecasted annual turnover from the original business plan as per BB6.1.40(a).

OR

I note that the business is not currently meeting or exceeding the forecasted annual turnover from the original business plan as per BB6.1.40(a); however as per BH4.10(b) I am satisfied that the business clearly has the potential to do so within 12 months. This is because I have annualised the results for the – months of business operation so far ($[(\$[\text{total revenue}]/[\text{number of months the revenue result is for}]) * 12]$). This clearly demonstrates that the business has potential to be trading profitably as per BB6.1.40(a) within the next 12 months.

Revenue	Business Plan	Actual
Year 1	\$	\$

I also note that the business is meeting or exceeding their assessment from the points scale at BB3.10(d), as per BB6.1.40(a).

OR

I note that the business is not currently meeting or exceeding their assessment from the points scale at BB3.10(d), as per BB6.1.40(a); however as per BH4.10(b) I am satisfied that the business clearly has the potential to do so within 12 months. This is because -----

	Points awarded at EWV stage	Points as per actual performance
Relevant self-employment	--	--
Other self-employment	--	--
Relevant senior management experience	--	--
New full time employment creation	--	--
Approved export business (based on annual turnover)	--	--
Unique or new products or services to New Zealand	--	--
Capital investment	--	--
Age at lodgement	--	--

Business based outside Auckland	--	--
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I note that the business is currently making sufficient profit to enable the PA to pay themselves at least the minimum wage per annum, as per BB6.1.40(b).

OR

I note that the business is not currently making sufficient profit to enable the PA to pay themselves at least the minimum wage per annum, as per BB6.1.40(b); however as per BH4.10(b) I am satisfied that the business clearly has the potential to do so within 12 months.

Net profit	Business Plan	Actual
Year 1	\$ ----	\$ ----

Shareholder salary	Business Plan	Actual
Year 1	\$ ----	\$ ----

Based on the above, I am satisfied that the PA has met the requirements at BH4.10(b), BB6.1.40(a) and BB6.1.40(b).

BH3.1 – Consistency with business proposal

I am satisfied that the business is consistent in nature (i.e. ----) with the business proposal in respect of which the applicant was granted a work visa. I am also satisfied that the business is generally consistent in size and scale with what was proposed in the original business plan.

The number of employees and level of capital investment are the same or greater than what was proposed in the business plan.

I note that there are some aspects of the business which are inconsistent with the original business plan (-----). However, I also note that these inconsistencies are not significant enough to consider that the business is fundamentally a different business to what was proposed at EWV stage.

On the above basis, I am satisfied that the PA has met the requirements at BH3.1.

BH2.5 – Compliance with employment and immigration law

I have seen no indication that there has been any failure to comply with relevant employment or immigration law in force in New Zealand, as described at BH2.5(a).

I note that the employment agreements are in compliance with relevant legislation, and that the Employer Monthly Schedules show that the business has paid the employees according to their agreements.

I am satisfied that the PA has met the requirements at BH2.5.

BH2.25 – Applicants must not have accessed welfare assistance

I have seen no indication that the PA, SA partner, or dependent child/children may have applied for and been granted welfare assistance under the Social Security Act 1964 while in New Zealand during the currency of their temporary visas.

The PA has provided evidence of their personal funds/earnings.

I am satisfied that the applicants have met the requirements at BH2.25.

BH2.10 – English language requirements

The PA has provided an IELTS certificate with their original EWV application. The certificate detailed an overall band score of ---, and was issued on --/--/----. I note that this certificate is now over two years old, as per BF2(a)(i). However, considering that the applicant has generally remained in New Zealand operating the business since the grant of the EWV (as per BF2.5) I am satisfied that the applicant continues to meet the requirements at BH2.10.

The SA partner has not provided any evidence of English ability, but has indicated that they will pre-purchase ESOL tuition, as per BH2.10(b) and BF1.1(a)(ii).

----- is under the age of 16 and is therefore not required to provide evidence of English language ability, as per BF1.1(a).

On the above basis, I am satisfied that ----- meets the requirements at BH2.10, but ----- is required to provide evidence that they meet the minimum standard of English language ability or pre-purchase ESOL tuition.

R2.1(b)(i) & R2.1.15 – Partnership

I am satisfied that the partnership between the PA and SA partner meets the minimum requirements for the recognition of partnerships set out at F2.15.

The partner is eligible to be included in this application as they are legally married to the PA/in a civil union partnership with the PA/in a de facto relationship with the PA.

The following evidence has been provided to show that the PA and SA partner have been living together in a genuine and stable partnership for at least 12 months:

- Marriage certificate dated --/--/----

- Evidence of joint bank accounts operated reasonably frequently, from --/---- to --/----
- Utility bills/letters addressed to the PA and partner at the same address, dated from --/---- to --/----
- Tenancy agreement dated --/--/---- detailing the PA and partner as tenants
- Agreement for purchase of residence, dated --/--/----
- Copy of freehold register showing PA and partner as proprietors
- Evidence of joint insurance policy, dated --/--/----
- Evidence of joint assets (-----)
- Letter from child's school jointly addressed, dated --/--/----
- Letters of support from friends and family
- Family photographs
- Facebook screenshots
- WeChat records
- Birth certificates of dependent children
- Tickets from shared travel/activities

From the evidence provided, I am satisfied that sufficient evidence of a genuine and stable partnership has been provided. I am satisfied that the partnership has been entered into with the intention of being maintained on a long-term and exclusive basis, and that the applicants have demonstrated that the partnership is likely to endure.

I am satisfied that the applicants have been living together for a period of at least 12 months. I note that the SA partner has spent a total of --- days in New Zealand since the grant of the LTBV/EWV. The SA partner is currently in New Zealand, having most recently travelled on --/--/----.

I am also satisfied that based on the evidence provided that the applicants are currently living together.

OR

I am not satisfied that the applicants are currently living together, but I have been provided with evidence of a genuine and compelling reason (-----), as per F2.30.1.

I am satisfied that the evidence they have presented regarding their relationship is credible. Based on the evidence provided, I am satisfied that the applicants are currently living together in a genuine and stable relationship and have been for at least 12 months. I am satisfied that the SA partner meets the requirements at R2.1.15.

R2.1(b)(ii) & R2.1.27 – Dependent children and custody

I am satisfied that ---- meets the definition of a dependent child as per R2.1.30, being aged 17 or younger and single

OR aged 18 to 20 single and with no children of their own

OR aged 21 to 24, with no children of their own, single, and totally or substantially reliant on the PA or the PA's partner for financial support.

A full birth certificate has been provided showing the relationship between the child/children, the PA, and the SA partner, as per R2.1.40(a).

OR

A full birth certificate has been provided showing the relationship between the child/children and the PA, as per R2.1.40(a). The PA is separated/divorced from the child/children's other parent. The PA has provided:

- legal documents showing that the PA has custody of the child/children and the sole right to determine the place of residence of the child/children, without rights of visitation by the other parent
- a court order permitting the applicant to remove the child/children from the country of residence
- legal documents showing that the PA has custody of the child/children and a signed statement from the other parent, witnessed in accordance with local practice or law, agreeing to allow the child/children to live in New Zealand if the application is approved.

OR

A full birth certificate has been provided showing the relationship between the child/children and the PA, as per R2.1.40(a). The child/children's other parent is not included in the application (but is not separated/divorced from the PA). The PA has provided:

- a court order permitting the applicant to remove the child from its country of residence
- a written statement from the other parent agreeing to allow the child/children to live in New Zealand if the application is approved, which I confirmed in telephone interviews with the PA on --/--/---- and the other parent on --/--/----.

I am satisfied that ----- meets the requirements at R2.1.27.

BH2.1(e) & BM – Requirement to be a fit and proper person

I have seen no indication that any business the PA has influence over has ever been noncompliant with any relevant immigration, employment or taxation laws. A Google search and Companies' Office search of the PA have not revealed any concerns.

I am satisfied that the PA has never been investigated by the Serious Fraud Office or the New Zealand police for any offences arising in the course of, or resulting from, business dealings. I note that there are no AMS alerts on the PA or the business related to any investigations or civil proceedings.

The PA has provided a police certificate from ----- . Based on the information available on this certificate and the NZPC, I am satisfied that the PA has never been convicted of an offense involving dishonesty.

I have seen no indication that the PA has ever been involved in business fraud or financial impropriety.

Based on the above, I am satisfied that the PA meets the requirements at BM1 to be considered a 'fit and proper' person, and therefore I am satisfied that they have met the requirements at BH2.1(e).

BH2.15 Character

I have confirmed that the PA has fully completed the 'character' section of the application form.

Provided were as follows:

- ----- PC dated --/--/---- Valid and clear
- ----- PC dated --/--/---- Valid and clear
- NZPC dated --/--/---- Valid and clear

- ----- PC dated --/--/---- Valid and clear
- ----- PC dated --/--/---- Valid and clear
- NZPC dated --/--/---- Valid and clear

I am satisfied all applicants meet the requirements at BH2.15 and A5.1.

BH2.15 Health

The PA and secondary applicants have declared no medical conditions which might require renal dialysis, hospital care, residential care, or special education services.

Provided were as follows:

- Valid medical dated --/--/---- and x-ray dated --/--/---- ASH

-
- Valid medical dated --/--/---- and x-ray dated --/--/---- ASH

I am satisfied the applicants meet the requirements at BH2.15 and A4.10.

Identity

I have confirmed the applicants' identity by cross referencing documents/information on file with the information available in AMS. I have cross-referenced the birth certificate details with the passport.

I have checked AMS travel records and confirmed the applicant's current passport has been used to cross the border.

I have confirmed the authenticity of the passport using a manual MRZ check.

OR

I have confirmed the authenticity of the passport by scanning the passport and receiving an authentic result.

I am satisfied that the identity is recorded correctly in AMS and that the risk has been mitigated with regards to identity.

Risk and Verification

A Google search on the business has not revealed any concerns relating to the business. Numerous documents have been provided to show business establishment (listed above).

There are no active or expired alerts/information warnings against the applicants, the advisor or the business on AMS.

Or

I note that there are expired alert/s on one of the applicants/advisor/business, I have considered the surround circumstances regarding these alerts however given their nature and that they are expired I am satisfied they pose no risk to the application.

I have completed a first tier risk assessment and am satisfied that a second tier referral is not required.

Crism completed on --/--/---- No concern

NSC clearance dated --/--/---- No concern

I have verified the IELTS certificate provided by ----- using the online TRF query check, and am satisfied that it is genuine.

I have conducted a verification phone call to the business on --/--/----. I identified myself as an immigration officer. I spoke with -----, regarding -----. No concerns were raised.

[Discuss any other verification here]

I am satisfied all the potential risks have been mitigated in the assessment and verification process.

Summary

I am satisfied as follows:

- The PA has demonstrated that they have successfully established a business in New Zealand that realises the benefits outlined in their business plan, and have operated that business for at least six months, as per BH2.1(a)(ii)
- The PA has demonstrated that they have been self-employed in their business for at least six months, as per BH2.1.5(a)(i) and BH4.1(b)
- The PA held an Entrepreneur Work Visa or a Long Term Business Visa at the time the residence visa application was lodged, as per BH2.1.5(a)(iv)
- The PA has demonstrated that the business is benefiting New Zealand significantly through employment creation, as per BH2.1(b) and BH4.10(a)
- The PA has demonstrated that they have created at least three ongoing and sustainable full time jobs for New Zealand citizens or residents, as per BH2.1.5(a)(iii)
- The PA has demonstrated that the business is benefiting New Zealand significantly by trading profitably on the date of lodgement, as per BH2.1(b) and BH4.10(b)
- There is no indication that the business has failed to comply with employment and immigration law, as per BH2.1(c) and BH2.5
- The PA has demonstrated that the same or greater amount of capital has been invested in the business as outlined in the business plan, as per BH2.1(d)
- The PA has demonstrated that they have made a capital investment of at least NZ\$500,000 in their business, as per BH2.1.5(a)(ii)
- The PA meets the fit and proper person requirements set out at BM1, as per BH2.1(e)
- The business is consistent with the business proposal in respect of which the PA was granted a work visa, as per BH3.1
- There is no indication that the applicants may have applied for and been granted welfare assistance, as per BH2.25

- The applicants have met the standard health, character, partnership, dependency, and English language requirements, as per BH2.15, A4.10, A5.1, R2.1.15, R2.1.27, and BH2.10

In conclusion, the application meets instructions under the Entrepreneur Residence Visa category.

Decision: APPROVED – subject to payment of ESOL tuition and submission of passports

The date on which the PA first complied with the conditions at BH7.10 was --/--/---- [the latest of the three dates you have noted for self-employment, employment, and investment]. Therefore (provided the PA maintains self-employment, employment, and investment for a continuous period after the grant of this residence visa) the date on which the PA is eligible to have their conditions lifted is --/--/--- [two years from the date above. Make sure to add this applicant to the condition reminder spreadsheet].

OR

Decision: DECLINED

I have also considered the application against the criteria of other residence categories. However, based on the information provided, the PA does not appear to have met the requirements of any other residence category.

Business Immigration Specialist

Date: --/--/----

2PC:

Date:

Entrepreneur Residence Visa Application – 2 Year Category

Application number: -----

	Name	Client Number	Date of Birth
Principal Applicant	-----	-----	--/--/----
Partner	-----	-----	--/--/----
Dependent Child	-----	-----	--/--/----
Dependent Child	-----	-----	--/--/----

Lodgement Date: --/--/----

Business Name: -----

Applicable Policy

This Entrepreneur Residence Visa application was lodged on --/--/----. The immigration instructions which are applicable to this application are under Entrepreneur BH and are the instructions which are in force at the date of lodgement.

Business Outline and Application Background

The applicants were first granted an LTBV/EWV on --/--/----. The proposed business plan was to ----- The business plan proposed that the applicant would invest \$-----.

The PA incorporated the company ----- on --/--/----. The PA holds --% of shares. The other shares are held by ----- Evidence (-----) has been provided to show that the business began operating on --/--/----.

The standard financial reporting period of 01 April – 31 March aligns reasonably well with the actual operating years of the business, so I recognise the 2016 financial year as year 1, and the 2017 financial year as year 2.

OR

As the standard financial reporting period of 01 April – 31 March does not align with the actual operating years of the business, I have been provided with financial statements for the 2016 and 2017 years ending in the month of ----- I therefore recognise that the year ended ----- 2016 is year 1, and the year ended ----- is year 2.

The applicants were granted the 'balance' of their LTBV/EWV on --/--/----. The applicants were given an LTBV/EWV which is valid until --/--/----.

BH4.1 & BH2.1.1 – Criteria for successfully establishing a business in New Zealand & Requirements for applicants who have operated a business for at least two years

The following documents have been sighted as evidence of establishing a business in New Zealand which has been operating for at least two years:

- Certificate of incorporation
- Deed of lease for the business premises
- Financial statements of the company for years ended 2015, 2016, and 2017
- Business bank statements
- Business invoices
- Staff employment agreements
- Employer monthly schedules from --/20-- to --/20--
- MPI registration
- Export documentation
- GST reports --/20-- to --/20--
- Agreement for purchase of the business
- Examples of marketing
- Business profile
- Supporting letters
- Business and stock photos

At the time of lodgement, the PA held an LTBV/EWV/Specific Purpose Work Visa/Essential Skills Work Visa which allowed self-employment.

The PA has been in New Zealand for XX days in the two years directly prior to the lodgement of this application (xx/xx/xxxx - xx/xx/xxxx).

A verification phone call (detailed in the 'Risk & Verification' section below) was conducted on --/--/----. The PA was present at the business and was able to discuss the business activities they perform on a daily basis. The information provided during the phone call was consistent with the information provided in the application.

	31/03/2017	31/03/2018
Revenue	\$ ----	\$ ----
Net profit/(loss)	\$ ----	\$ ----
Shareholder salary	\$ ----	\$ ----

This level of profit and shareholder salaries suggests that the business has progressed to a position of self-support. This level of revenue would suggest that the PA has been actively involved in the business for at least two years.

Evidence that the PA has been full time involved in the management and operation of their business over two years is:

- Staff employment agreements signed by the PA
- Emails from the PA to -----
- Lease agreement signed by the PA
- Evidence of staff communication with the PA
- Export documentation showing PA's name

Given the above, I am satisfied that the PA has successfully established a business in New Zealand in which they have been self-employed for at least two years, and that they have met the requirements at BH4.1, BH2.1.1, and BB6.1.15.

BH2.1(d) – Capital investment

The capital investment proposed in the original **LTBV/EWV** business plan was \$-----.

	Business Plan	Actual
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
Total	\$ ----	\$ ----

(use the following in green if the nominated fund transfer was checked with balance/interim application and was not an issue)

The nominated funds/assets proposed as capital investment have been accepted at EWV Balance stage.

I have checked that the proposed capital funds have been transferred to the PA's business account.

The shareholder's current account balance for the (first year) financial year is \$-----. This balance indicates that the proposed capital funds have been introduced in the business. I am **satisfied / not satisfied** that the funds introduced in the business have been fully used in the establishment and operation of the business. I am also **satisfied / not satisfied** that the applicants did not withdraw the initial nominated funds before the funds have been fully used in the business. **[State reasons if not satisfied.]**

(Complete the below in section green if the EWV Balance was declined on the funds transfer)

The funds which were initially nominated at EWV were:

Funds	Bank Account Number/Details of Asset	Value
-----	-----	-----

I have confirmed that the capital investment transferred to the business has come from the initially nominated funds.

The shareholder's current account balance for the (first year) financial year is \$------. This balance indicates that the proposed capital funds have been introduced in the business. I am **satisfied / not satisfied** that the funds introduced in the business have been fully used in the establishment and operation of the business. I am also **satisfied / I am not satisfied** that the applicants did not withdraw the initial nominated funds before the funds have been fully used in the business. **[State reasons if not satisfied.]**

[If the PA has put money into the business in a different way, e.g. share capital, note this here]

I am **satisfied / not satisfied** that the capital investment invested in the business meets the definition at BB3.5.10 and that the PA has met the requirements at BH2.1(d).

BH4.10(a) – Requirement for a business to be considered to add significant benefit to New Zealand by promoting New Zealand's economic growth

In the initial LTBV/EWV application, the PA proposed that their business would benefit New Zealand through employment creation/-----.

The PA proposed that their business would create employment for an additional --- full time and --- part time employees.

The PA has provided employment agreements for --- employees, as well as evidence of immigration status showing that --- of the employees are New Zealand residents or citizens.

Employment agreements have been provided for the following staff:

Name	Immigration Status	Type of Agreement	Date of Employment	Salary
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/---- until --/--/----	\$ ----
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/---- until --/--/----	\$ ----

The financial statements for year end 201- show wages of \$------. The employer monthly schedules for 04/201- to 03/201- show wages of \$------. I am satisfied that there is no meaningful discrepancy between these two figures.

Based on the information in the employer monthly schedules, it appears that ----- and ----- are currently employed by the business.

As this business was already established before the PA purchased it, the PA must demonstrate employment creation on top of the employment level which existed prior to their purchase of the business.

The financial information for the previous business owner shows that in the year ended --/-- /---- the business paid wages of \$-----.

The employer monthly schedules showed – full time and – part time positions in the previous business.

OR

The financial information for the previous business owner shows that in the year ended --/-- /---- the business paid wages of \$-----.

It does not appear that there was any sustained employment offered before the PA purchased the business.

I am satisfied that the employment created meets the definition at BB6.1.25.

In my phone call to the business on --/--/----, I was able to speak with ----- and ----- . They were able to describe their roles and hours. They were aware of what the PA does. The information they gave was consistent with the information the PA gave.

On the above basis, I am satisfied that the business can be considered to add significant benefit to New Zealand by creating sustained and ongoing full time employment for one or more New Zealand citizens, and that the PA meets the requirements at BH4.10(a).

OR

Although the applicant has not provided evidence demonstrating the business is benefiting NZ through ----- as proposed in the approved business plan; I, however, note that the evidence (I.E.-----) clearly shows that the business has been doing ----- and ----- . Therefore, I am satisfied that the business is benefiting NZ through ----- as per BH 4.10 a. (i – vi, need to be specified).

BH4.10(b) – Requirement to be trading profitably on the date of lodgement

The financial statements for year end 201- show revenue of \$----- . The GST returns for 04/201- to 03/201- show sales of \$----- . I am satisfied that there is no meaningful discrepancy between these two figures.

I consider the level of accounts receivable (\$-----) credible given the nature of the business. I am satisfied that this is genuine revenue.

I note that the business was meeting or exceeding the forecasted annual turnover from the original business plan at lodgement, as per BB6.1.40(a).

OR

I note that the business was not meeting or exceeding the forecasted annual turnover from the original business plan at lodgement as per BB6.1.40(a); however, as per BH4.10(b), I am satisfied that the business clearly has the potential to do so within 12 months. This is because -----.

Revenue	Business Plan	Actual
Year 1	\$ ----	\$ ----
Year 2	\$ ----	\$ ----
Year 3	\$ ----	\$ ----/In progress

I note that the business was meeting or exceeding their assessment from the points scale at BB3.10(d) at lodgement, as per BB6.1.40(a).

OR

I note that the business was not meeting or exceeding their assessment from the points scale at BB3.10(d) at lodgement, as per BB6.1.40(a); however, as per BH4.10(b), I am satisfied that the business clearly has the potential to do so within 12 months. This is because -----.

	Points awarded at EWV stage	Points as per actual performance
Relevant self-employment	--	--
Other self-employment	--	--
Relevant senior management experience	--	--
New full time employment creation	--	--
Approved export business (based on annual turnover)	--	--
Unique or new products or services to New Zealand	--	--
Capital investment	--	--
Age at lodgement	--	--
Business based outside Auckland	--	--

I note that the business was making sufficient profit to enable the PA to pay themselves at least the minimum wage per annum at lodgement, as per BB6.1.40(b).

OR

I note that the business was not making sufficient profit to enable the PA to pay themselves at least the minimum wage per annum at lodgement, as per BB6.1.40(b); however, as per

BH4.10(b), I am satisfied that the business clearly has the potential to do so within 12 months.

Net profit	Business Plan	Actual
Year 1	\$ ----	\$ ----
Year 2	\$ ----	\$ ----
Year 3	\$ ----	\$ ----/In progress

Shareholder salary	Business Plan	Actual
Year 1	\$ ----	\$ ----
Year 2	\$ ----	\$ ----
Year 3	\$ ----	\$ ----/In progress

Based on the above, I am satisfied that the PA has met the requirements at BH4.10(b), BB6.1.40(a) and BB6.1.40(b).

BH3.1 – Consistency with business proposal

As per BH3.1(a), I am satisfied that the business is consistent in nature (i.e. ----) with the business proposal in respect of which the applicant was granted a work visa. I am also satisfied that the business is generally consistent in size and scale with what was proposed in the original business plan.

I note that there are some aspects of the business which are inconsistent with the original business plan (-----). However, I also note that these inconsistencies are not significant enough to consider that the business is fundamentally a different business to what was proposed at EWV/LTBV stage.

As per BH3.1(c), I am satisfied that all of the goals proposed in the business plan have been met.

On the above basis, I am satisfied that the PA has met the requirements at BH3.1.

BH2.5 – Compliance with employment and immigration law

I note that the employment agreements are in compliance with relevant legislation, and that the employer monthly schedules show that the business has paid the employees according to their agreements.

I do not see any indication to suggest the applicant is not compliant with record keeping requirements, as per the Employment Relations Act and Holidays Act. (Best practice - request the time and wage records – delete this sentence)

I have seen no indication that there has been any failure to comply with relevant employment or immigration law in force in New Zealand, as described at BH2.5(a).

I am satisfied that the PA has met the requirements at BH2.5.

BH2.25 – Applicants must not have accessed welfare assistance

I have seen no indication that the PA, SA partner, or dependent child/children may have applied for and been granted welfare assistance under the Social Security Act 1964 while in New Zealand during the currency of their temporary visas.

The PA has provided evidence of their personal funds/earnings.

I am satisfied that the applicants have met the requirements at BH2.25.

BH2.10 – English language requirements

The PA has provided an IELTS certificate with their original LTBV/EWV application. The certificate detailed an overall band score of ----, and was issued on ----- . I note that this certificate is now over two years old, as per BF2(a)(i). However, considering that the applicant has generally remained in New Zealand operating the business since the grant of the LTBV/EWV (as per BF2.5) I am satisfied that the applicant continues to meet the requirements at BH2.10.

The SA partner has not provided any evidence of English ability, but has indicated that they will pre-purchase ESOL tuition, as per BH2.10(b) and BF1.1(a)(ii).

----- is under the age of 16 and is therefore not required to provide evidence of English language ability, as per BF1.1(a).

On the above basis, I am satisfied that ----- and ----- meet the requirements at BH2.10, but ----- is required to provide evidence that they meet the minimum standard of English language ability or pre-purchase ESOL tuition.

R2.1(b)(i) & R2.1.15 – Partnership

I am satisfied that the partnership between the PA and SA partner meets the minimum requirements for the recognition of partnerships set out at F2.15.

The partner is eligible to be included in this application as they are legally married to the PA/in a civil union partnership with the PA/in a de facto relationship with the PA.

The following evidence has been provided to show that the PA and SA partner have been living together in a genuine and stable partnership for at least 12 months:

- Marriage certificate dated --/--/----
- Evidence of joint bank accounts operated reasonably frequently, from --/---- to --/----
- Utility bills/letters addressed to the PA and partner at the same address, dated from --/---- to --/----

- Tenancy agreement dated --/--/---- detailing the PA and partner as tenants
- Agreement for purchase of residence, dated --/--/----
- Copy of freehold register showing PA and partner as proprietors
- Evidence of joint insurance policy, dated --/--/----
- Evidence of joint assets (-----)
- Letter from child's school jointly addressed, dated --/--/----
- Letters of support from friends and family
- Family photographs
- Facebook screenshots
- WeChat records
- Birth certificates of dependent children
- Tickets from shared travel/activities

From the evidence provided, I am satisfied that sufficient evidence of a genuine and stable partnership has been provided. I am satisfied that the partnership has been entered into with the intention of being maintained on a long-term and exclusive basis, and that the applicants have demonstrated that the partnership is likely to endure.

I am satisfied that the applicants have been living together for a period of at least 12 months. I note that the SA partner has spent a total of --- days in New Zealand since the grant of the LTBV/EWV. The SA partner is currently in New Zealand, having most recently travelled on --/--/----.

I am also satisfied that based on the evidence provided that the applicants are currently living together.

OR

I am not satisfied that the applicants are currently living together, but I have been provided with evidence of a genuine and compelling reason (-----), as per F2.30.1.

I am satisfied that the evidence they have presented regarding their relationship is credible. Based on the evidence provided, I am satisfied that the applicants are currently living together in a genuine and stable relationship and have been for at least 12 months. I am satisfied that the SA partner meets the requirements at R2.1.15.

OR

Given the reasons above, I am unable to be satisfied that the PA and the partner are meeting the partnership requirements

R2.1(b)(ii) & R2.1.27 – Dependent children and custody

I am satisfied that ---- meets the definition of a dependent child as per R2.1.30, being

aged 17 or younger and single

OR aged 18 to 20 single and with no children of their own

OR aged 21 to 24, with no children of their own, single, and totally or substantially reliant on the PA or the PA's partner for financial support.

A full birth certificate has been provided showing the relationship between the child/children, the PA, and the SA partner, as per R2.1.40(a).

OR

A full birth certificate has been provided showing the relationship between the child/children and the PA, as per R2.1.40(a). The PA is separated/divorced from the child/children's other parent. The PA has provided:

- legal documents showing that the PA has custody of the child/children and the sole right to determine the place of residence of the child/children, without rights of visitation by the other parent, as per R2.1.45(c)(i)
- a court order permitting the applicant to remove the child/children from the country of residence, as per R2.1.45(c)(ii)
- legal documents showing that the PA has custody of the child/children and a signed statement from the other parent, witnessed in accordance with local practice or law, agreeing to allow the child/children to live in New Zealand if the application is approved, as per R2.1.45(c)(iii)

OR

A full birth certificate has been provided showing the relationship between the child/children and the PA, as per R2.1.40(a). The child/children's other parent is not included in the application (but is not separated/divorced from the PA). The PA has provided:

- a court order permitting the applicant to remove the child from its country of residence
- a written statement from the other parent agreeing to allow the child/children to live in New Zealand if the application is approved, which I confirmed in telephone interviews with the PA on --/--/---- and the other parent on --/--/----.

I am satisfied that ----- meets the requirements at R2.1.27.

BH2.1(e) & BM – Requirement to be a fit and proper person

I have seen no indication that any business the PA has influence over has ever been noncompliant with any relevant immigration, employment or taxation laws. A Google search and Companies' Office search of the PA have not revealed any concerns.

I am satisfied that the PA has never been investigated by the Serious Fraud Office or the New Zealand police for any offences arising in the course of, or resulting from, business dealings. I note that there are no AMS alerts on the PA or the business related to any investigations or civil proceedings.

The PA has provided a police certificate from [REDACTED]. Based on the information available on this certificate and the NZPC, I am satisfied that the PA has never been convicted of an offense involving dishonesty.

I have seen no indication that the PA has ever been involved in business fraud or financial impropriety.

Based on the above, I am satisfied that the PA meets the requirements at BM1 to be considered a 'fit and proper' person, and therefore I am satisfied that they have met the requirements at BH2.1(e).

BH2.15 Character

I have confirmed that the PA has fully completed the 'character' section of the application form.

Provided were as follows:

[REDACTED]

- [REDACTED] PC dated --/--/---- Valid and clear
- [REDACTED] PC dated --/--/---- Valid and clear
- [REDACTED] NZPC dated --/--/---- Valid and clear

[REDACTED]

- [REDACTED] PC dated --/--/---- Valid and clear
- [REDACTED] PC dated --/--/---- Valid and clear
- [REDACTED] NZPC dated --/--/---- Valid and clear

DA1 and DA2 are not required to provide police certificates as per A5.5 as they were under the age of 17 years old at the date this application was lodged.

The applicant has declared in the Application Form that he had never been convicted nor found guilty of any offence against the law in any country. They have also indicated that they are not currently under investigation or wanted by any law enforcement agency in any country. Further, the applicant has stated they have never been excluded, refused entry, removed or deported from any country, including New Zealand.

I am satisfied all applicants meet the requirements at BH2.15 and A5.1.

BH2.15 Health

The PA and secondary applicants have declared no medical conditions which might require renal dialysis, hospital care, residential care, or special education services.

Provided were as follows:

- Valid medical dated --/--/---- and x-ray dated --/--/---- ASH

- Valid medical dated --/--/---- and x-ray dated --/--/---- ASH

----- /& ----- is/are under the age of 11 and as per A4.20(a) is/are not required to have an X-ray examination. [Note: However if the dependant turns 11 while the application is being assessed, please request for an X-ray to be carried out].

The applicants have declared in the application form that they have never required dialysis treatment and are not likely to require dialysis treatment in the immediate future. They have also indicated that they have never had tuberculosis, may require hospital care or have a physical incapacity that requires full-time care. (Further, the applicant has stated that no dependent child in this application requires special education services.)

I am satisfied the applicants meet the requirements at BH2.15 and A4.10.

Identity

I have confirmed the applicants' identities by cross referencing documents/information on file with the information available in AMS. I have cross-referenced the birth certificate details with the passports.

I have checked AMS travel records and confirmed the applicants' current passports have been used to cross the border.

I have confirmed the authenticity of the passports using a manual MRZ check.

OR

I have confirmed the authenticity of the passports by checking they have been scanned and have received authentic results.

I am satisfied that the identities are recorded correctly in AMS and that the risk has been mitigated with regards to identity.

Risk and Verification

A Google search on the business has not revealed any concerns relating to the business. Numerous documents have been provided to show business establishment (listed above).

There are no active or expired alerts/information warnings against the applicants, the advisor or the business on AMS.

Or

I note that there are expired alert/s on one of the applicants/advisor/business, I have considered the surrounding circumstances regarding these alerts however given their nature and that they are expired I am satisfied they pose no risk to the application.

I have completed a first tier risk assessment and am satisfied that a second tier referral is not required.

Risk rating dated --/--/---- None

NSC clearance dated --/--/---- No concern

I have verified the IELTS certificate provided by ----- using the online TRF query check, and am satisfied that it is genuine.

I have conducted a verification phone call to the business on --/--/----. I identified myself as an immigration officer. I spoke with -----, regarding -----, No concerns were raised.

[Discuss any other verification here]

I am satisfied all the potential risks have been mitigated in the assessment and verification process.

Summary

I am satisfied as follows:

- The PA has demonstrated that they have successfully established a business in New Zealand that realises the benefits outlined in their business plan, and have operated that business for at least two years, as per BH2.1(a).
- The PA has demonstrated that they have been self-employed in their business for the two years before lodgement, as per BH2.1(a)(i) and BH4.1(a).
- The PA has demonstrated that the business is benefiting New Zealand significantly through employment creation, as per BH2.1(b) and BH4.10(a).

- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably on the date of lodgement, as per BH2.1(b) and BH4.10(b).
- There is no indication that the business has failed to comply with employment and immigration law, as per BH2.1(c) and BH2.5.
- The PA has demonstrated that the same or greater amount of capital has been invested in the business as outlined in the business plan, as per BH2.1(d).
- The PA meets the fit and proper person requirements set out at BM1, as per BH2.1(e).
- The business is consistent with the business proposal in respect of which the PA was granted a work visa, as per BH3.1.
- There is no indication that the applicants may have applied for and been granted welfare assistance, as per BH2.25.
- The applicants have met the standard health, character, partnership, dependency, and English language requirements, as per BH2.15, A4.10, A5.1, R2.1.15, R2.1.27, and BH2.10.

I am not satisfied as follows:

- The PA has demonstrated that they have been self-employed in their business for the two years before lodgement, as per BH2.1(a)(i) and BH4.1(a).
- The PA has demonstrated that the business is benefitting New Zealand significantly through employment creation, as per BH2.1(b) and BH4.10(a).
- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably by meeting or exceeding the forecasted annual turnover on the date the application is lodged, as per BH4.10(b) and BB6.1.40(a).
- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably by meeting or exceeding the assessment from the points scale on the date the application is lodged, as per BH4.10(b) and BB6.1.40(a).
- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably by making sufficient profit to enable the principal applicant to pay themselves at least the minimum wage per annum on the date the application is lodged, as per BH4.10(b) and BB6.1.40(b).
- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably through clearly having the potential to become “profitable” by meeting or exceeding the forecasted annual turnover within the 12 months following the lodgement of the resident application, as per BH4.10(b) and BB6.1.40(a).
- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably through clearly having the potential to become “profitable” by meeting or exceeding the assessment from the points scale within the 12 months following the lodgement of the resident application, as per BH4.10(b) and BB6.1.40(a).
- The PA has demonstrated that the business is benefitting New Zealand significantly by trading profitably through clearly having the potential to become “profitable” by

making sufficient profit to enable the principal applicant to pay themselves at least the minimum wage per annum within the 12 months following the lodgement of the resident application, as per BH4.10(b) and BB6.1.40(b).

- The business has complied with employment and immigration law, as per BH2.1(c) and BH2.5.
- The PA has demonstrated that the same or greater amount of capital has been invested in the business as outlined in the business plan, as per BH2.1(d).
- The PA meets the fit and proper person requirements set out at BM1, as per BH2.1(e).
- The business is consistent with the business proposal in respect of which the PA was granted a work visa, as per BH3.1.
- The applicants have not applied for and been granted welfare assistance, as per BH2.25.
- The applicants have met the standard health, character, partnership, dependency, and English language requirements, as per BH2.15, A4.10, A5.1, R2.1.15, R2.1.27, and BH2.10.

In conclusion, the application meets/does not meet instructions under the Entrepreneur Residence Visa category.

Decision: APPROVED – subject to payment of ESOL tuition

OR

Decision: DECLINED

I have also considered the application against the criteria of other residence categories. However, based on the information provided, the PA does not appear to have met the requirements of any other residence category.

Business Immigration Specialist

Date: --/--/----

2PC:

Date:

Entrepreneur Residence Visa Application – 2 Year Category

Application number: -----

	Name	Client Number	Date of Birth
Principal Applicant	-----	-----	--/--/----
Partner	-----	-----	--/--/----
Dependent Child	-----	-----	--/--/----
Dependent Child	-----	-----	--/--/----

Lodgement Date: --/--/----

Business Name: -----

Applicable Policy

This Entrepreneur Residence Visa application was lodged on --/--/----. The immigration instructions which are applicable to this application are under Entrepreneur BH and are the instructions which are in force at the date of lodgement.

Business Outline and Application Background

[Explain PA's visa history (e.g. visa type, periods, etc)]

The PA incorporated the company ----- on --/--/----. The PA holds --% of shares. The other shares are held by ----- . Evidence (-----) has been provided to show that the business began operating on --/--/----.

The standard financial reporting period of 01 April – 31 March aligns reasonably well with the actual operating years of the business, so I recognise the 2016 financial year as year 1, and the 2017 financial year as year 2.

OR

As the standard financial reporting period of 01 April – 31 March does not align with the actual operating years of the business, I have been provided with financial statements for the 2016 and 2017 years ending in the month of ----- . I therefore recognise that the year ended ----- 2016 is year 1, and the year ended ----- is year 2.

BH4.1 & BH2.1.1 – Criteria for successfully establishing a business in New Zealand & Requirements for applicants who have operated a business for at least two years

The following documents have been sighted as evidence of establishing a business in New Zealand which has been operating for at least two years:

- Certificate of incorporation
- Deed of lease for the business premises
- Financial statements of the company for years ended 2015, 2016, and 2017
- Business bank statements
- Business invoices
- Staff employment agreements
- Employer monthly schedules from --/20-- to --/20--
- MPI registration
- Export documentation
- GST reports --/20-- to --/20--
- Agreement for purchase of the business
- Examples of marketing
- Business profile
- Supporting letters
- Business and stock photos

At the time of lodgement, the PA held a [type of visa (e.g. work visa based on partnership)] which allowed self-employment.

The PA has been in New Zealand for --- days / more than --- years prior to the date of lodgement of the ERV application.

A verification phone call (detailed in the 'Risk & Verification' section below) was conducted on --/--/----. The PA was present at the business and was able to discuss the business activities they perform on a daily basis. The information provided during the phone call was consistent with the information provided in the application.

	31/03/2015	31/03/2016	31/03/2017
Revenue	\$ ----	\$ ----	\$ ----
Net profit/(loss)	\$ ----	\$ ----	\$ ----
Shareholder salary	\$ ----	\$ ----	\$ ----

This level of profit and shareholder salaries suggests that the business has progressed to a position of self-support. This level of revenue would suggest that the PA has been actively involved in the business for at least two years.

Evidence that the PA has been full time involved in the management and operation of their business over two years is:

- Staff employment agreements signed by the PA
- Emails from the PA to -----
- Lease agreement signed by the PA

- Evidence of staff communication with the PA
- Export documentation showing PA's name

Given the above, I am satisfied that the PA has successfully established a business in New Zealand in which they have been self-employed for at least two years, and that they have met the requirements at BH2.1.1(a), and BB6.1.15.

As the PA does not hold an EWB or LTBV at the date of lodgement, the PA must demonstrate that they meet the requirements for an Entrepreneur Work Visa set out at BB3.1.

Assessment of BB3.1

- BB3.1(a) – Capital investment

BH2.1(d) – Capital investment

The capital investment proposed in the original LTBV/EBW business plan was \$-----.

	Business Plan	Actual
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
-----	\$ ----	\$ ----
Total	\$ ----	\$ ----

The funds which were initially nominated at LTBV/EBW were:

Funds	Bank Account Number/Details of Asset	Value
-----	-----	-----

I have confirmed that the actual capital investment listed above has come from the initially nominated funds.

I note that the applicant proposed working capital as part of their investment. I have confirmed that this working capital has now been invested into the business in the form of -----.

The shareholder's current accounts for the 2016 financial year show \$-----. The shareholder's current accounts for the 2017 financial year show \$-----.
 [If the PA has put money into the business in a different way, e.g. share capital, note this here]

I am satisfied the PA has maintained their investment over the LTBV/EBW period and that they have not disinvested.

I am satisfied that the capital investment demonstrated meets the definition at BB3.5.10 and that the PA has met the requirements at BH2.1(d).

BH4.10(a) – Requirement for a business to be considered to add significant benefit to New Zealand by promoting New Zealand’s economic growth

In the initial LTBV/EWV application, the PA proposed that their business would benefit New Zealand through employment creation/-----.

The PA proposed that their business would create employment for an additional --- full time and --- part time employees.

The PA has provided employment agreements for --- employees, as well as evidence of immigration status showing that --- of the employees are New Zealand residents or citizens.

Employment agreements have been provided for the following staff:

Name	Immigration Status	Type of Agreement	Date of Employment	Salary
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/--- until --/--/---	\$ ----
	NZ Resident / NZ Citizen / NZ Permanent Resident	Full time / Part time / Casual	--/--/--- until --/--/---	\$ ----

The Financial Statements for year end 201- show wages of \$-----. The Employer Monthly Schedules for 04/201- to 03/201- show wages of \$-----. I am satisfied that there is no meaningful discrepancy between these two figures.

Based on the information in the Employer Monthly Schedules, it appears that ----- and ----- are currently employed by the business.

As this business was already established before the PA purchased it, the PA must demonstrate employment creation on top of the employment level which existed prior to their purchase of the business.

The financial information for the previous business owner shows that in the year ended --/--/---- the business paid wages of \$-----.

The Employer Monthly Schedules showed – full time and – part time positions in the previous business.

OR

The financial information for the previous business owner shows that in the year ended --/--/---- the business paid wages of \$-----.

It does not appear that there was any sustained employment offered before the PA purchased the business.

I am satisfied that the employment created meets the definition at BB6.1.25.

In my phone call to the business on --/--/----, I was able to speak with ----- and ----- . They were able to describe their roles and hours. They were aware of what the PA does. The information they gave was consistent with the information the PA gave.

On the above basis, I am satisfied that the business can be considered to add significant benefit to New Zealand by creating sustained and ongoing full time employment for one or more New Zealand citizens, and that the PA meets the requirements at BH4.10(a).

BH4.10(b) – Requirement to be trading profitably on the date of lodgement

The Financial Statements for year end 201- show revenue of \$----- . The GST returns for 04/201- to 03/201- show sales of \$----- . I am satisfied that there is no meaningful discrepancy between these two figures.

I consider the level of accounts receivable (\$-----) credible given the nature of the business. I am satisfied that this is genuine revenue.

I note that the business is currently meeting or exceeding the forecasted annual turnover from the original business plan as per BB6.1.40(a).

OR

I note that the business is not currently meeting or exceeding the forecasted annual turnover from the original business plan as per BB6.1.40(a); however as per BH4.10(b) I am satisfied that the business clearly has the potential to do so within 12 months. This is because -----.

Revenue	Business Plan	Actual
Year 1	\$ ----	\$ ----
Year 2	\$ ----	\$ ----
Year 3	\$ ----	\$ ----/In progress

I also note that the business is meeting or exceeding their assessment from the points scale at BB3.10(d), as per BB6.1.40(a).

OR

I note that the business is not currently meeting or exceeding their assessment from the points scale at BB3.10(d), as per BB6.1.40(a); however as per BH4.10(b) I am satisfied that the business clearly has the potential to do so within 12 months. This is because -----
-----.

	Points awarded at EWV stage	Points as per actual performance
Relevant self-employment	---	---
Other self-employment	---	---
Relevant senior management experience	---	---
New full time employment creation	---	---
Approved export business (based on annual turnover)	---	---
Unique or new products or services to New Zealand	---	---
Capital investment	---	---
Age at lodgement	---	---
Business based outside Auckland	---	---

I note that the business is currently making sufficient profit to enable the PA to pay themselves at least the minimum wage per annum, as per BB6.1.40(b).

OR

I note that the business is not currently making sufficient profit to enable the PA to pay themselves at least the minimum wage per annum, as per BB6.1.40(b); however as per BH4.10(b) I am satisfied that the business clearly has the potential to do so within 12 months.

Net profit	Business Plan	Actual
Year 1	\$ ---	\$ ---
Year 2	\$ ---	\$ ---
Year 3	\$ ---	\$ ---/In progress

Shareholder salary	Business Plan	Actual
Year 1	\$ ---	\$ ---
Year 2	\$ ---	\$ ---
Year 3	\$ ---	\$ ---/In progress

Based on the above, I am satisfied that the PA has met the requirements at BH4.10(b), BB6.1.40(a) and BB6.1.40(b).

BH3.1 – Consistency with business proposal

I am satisfied that the business is consistent in nature (i.e. ----) with the business proposal in respect of which the applicant was granted a work visa. I am also satisfied that the business is generally consistent in size and scale with what was proposed in the original business plan.

The number of employees and level of capital investment are the same or greater than what was proposed in the business plan.

I note that there are some aspects of the business which are inconsistent with the original business plan (-----). However, I also note that these inconsistencies are not significant enough to consider that the business is fundamentally a different business to what was proposed at EWV/LTBV stage.

On the above basis, I am satisfied that the PA has met the requirements at BH3.1.

BH2.5 – Compliance with employment and immigration law

I have seen no indication that there has been any failure to comply with relevant employment or immigration law in force in New Zealand, as described at BH2.5(a).

I note that the employment agreements are in compliance with relevant legislation, and that the Employer Monthly Schedules show that the business has paid the employees according to their agreements.

I am satisfied that the PA has met the requirements at BH2.5.

BH2.25 – Applicants must not have accessed welfare assistance

I have seen no indication that the PA, SA partner, or dependent child/children may have applied for and been granted welfare assistance under the Social Security Act 1964 while in New Zealand during the currency of their temporary visas.

The PA has provided evidence of their personal funds/earnings.

I am satisfied that the applicants have met the requirements at BH2.25.

BH2.10 – English language requirements

The PA has provided an IELTS certificate with their original LTBV/EWV application. The certificate detailed an overall band score of ----, and was issued on ----. I note that this certificate is now over two years old, as per BF2(a)(i). However, considering that the applicant has generally remained in New Zealand operating the business since the grant of the LTBV/EWV (as per BF2.5) I am satisfied that the applicant continues to meet the requirements at BH2.10.

The SA partner has not provided any evidence of English ability, but has indicated that they will pre-purchase ESOL tuition, as per BH2.10(b) and BF1.1(a)(ii).

----- is under the age of 16 and is therefore not required to provide evidence of English language ability, as per BF1.1(a).

On the above basis, I am satisfied that ----- and ----- meet the requirements at BH2.10, but ----- is required to provide evidence that they meet the minimum standard of English language ability or pre-purchase ESOL tuition.

R2.1(b)(i) & R2.1.15 – Partnership

I am satisfied that the partnership between the PA and SA partner meets the minimum requirements for the recognition of partnerships set out at F2.15.

The partner is eligible to be included in this application as they are legally married to the PA/in a civil union partnership with the PA/in a de facto relationship with the PA.

The following evidence has been provided to show that the PA and SA partner have been living together in a genuine and stable partnership for at least 12 months:

- Marriage certificate dated --/--/----
- Evidence of joint bank accounts operated reasonably frequently, from --/---- to --/----
- Utility bills/letters addressed to the PA and partner at the same address, dated from --/---- to --/----
- Tenancy agreement dated --/--/---- detailing the PA and partner as tenants
- Agreement for purchase of residence, dated --/--/----
- Copy of freehold register showing PA and partner as proprietors
- Evidence of joint insurance policy, dated --/--/----
- Evidence of joint assets (-----)
- Letter from child's school jointly addressed, dated --/--/----
- Letters of support from friends and family
- Family photographs
- Facebook screenshots
- WeChat records
- Birth certificates of dependent children
- Tickets from shared travel/activities

From the evidence provided, I am satisfied that sufficient evidence of a genuine and stable partnership has been provided. I am satisfied that the partnership has been entered into with the intention of being maintained on a long-term and exclusive basis, and that the applicants have demonstrated that the partnership is likely to endure.

I am satisfied that the applicants have been living together for a period of at least 12 months. I note that the SA partner has spent a total of --- days in New Zealand since the grant of the LTBV/EWV. The SA partner is currently in New Zealand, having most recently travelled on --/--/----.

I am also satisfied that based on the evidence provided that the applicants are currently living together.

OR

I am not satisfied that the applicants are currently living together, but I have been provided with evidence of a genuine and compelling reason (-----), as per F2.30.1.

I am satisfied the PA and partner are both credible in both the statements they have made about the partnership and the evidence they have presented.

Based on the evidence provided, I am satisfied that the applicants are currently living together in a genuine and stable relationship and have been for at least 12 months. I am satisfied that the SA partner meets the requirements at R2.1.15.

R2.1(b)(ii) & R2.1.27 – Dependent children and custody

I am satisfied that ---- meets the definition of a dependent child as per R2.1.30, being aged 17 or younger and single

OR aged 18 to 20 single and with no children of their own

OR aged 21 to 24, with no children of their own, single, and totally or substantially reliant on the PA or the PA's partner for financial support.

A full birth certificate has been provided showing the relationship between the child/children, the PA, and the SA partner, as per R2.1.40(a).

OR

A full birth certificate has been provided showing the relationship between the child/children and the PA, as per R2.1.40(a). The PA is separated/divorced from the child/children's other parent. The PA has provided:

- legal documents showing that the PA has custody of the child/children and the sole right to determine the place of residence of the child/children, without rights of visitation by the other parent
- a court order permitting the applicant to remove the child/children from the country of residence

- legal documents showing that the PA has custody of the child/children and a signed statement from the other parent, witnessed in accordance with local practice or law, agreeing to allow the child/children to live in New Zealand if the application is approved.

OR

A full birth certificate has been provided showing the relationship between the child/children and the PA, as per R2.1.40(a). The child/children's other parent is not included in the application (but is not separated/divorced from the PA). The PA has provided:

- a court order permitting the applicant to remove the child from its country of residence
- a written statement from the other parent agreeing to allow the child/children to live in New Zealand if the application is approved, which I confirmed in telephone interviews with the PA on --/--/---- and the other parent on --/--/----.

I am satisfied that ----- meets the requirements at R2.1.27.

BH2.1(e) & BM – Requirement to be a fit and proper person

I have seen no indication that any business the PA has influence over has ever been noncompliant with any relevant immigration, employment or taxation laws. A Google search and Companies' Office search of the PA have not revealed any concerns.

I am satisfied that the PA has never been investigated by the Serious Fraud Office or the New Zealand police for any offences arising in the course of, or resulting from, business dealings. I note that there are no AMS alerts on the PA or the business related to any investigations or civil proceedings.

The PA has provided a police certificate from ----- . Based on the information available on this certificate and the NZPC, I am satisfied that the PA has never been convicted of an offense involving dishonesty.

I have seen no indication that the PA has ever been involved in business fraud or financial impropriety.

Based on the above, I am satisfied that the PA meets the requirements at BM1 to be considered a 'fit and proper' person, and therefore I am satisfied that they have met the requirements at BH2.1(e).

BH2.15 Character

I have confirmed that the PA has fully completed the 'character' section of the application form.

Provided were as follows:

- ----- PC dated --/--/---- Valid and clear
- ----- PC dated --/--/---- Valid and clear
- NZPC dated --/--/---- Valid and clear

- ----- PC dated --/--/---- Valid and clear
- ----- PC dated --/--/---- Valid and clear
- NZPC dated --/--/---- Valid and clear

I am satisfied all applicants meet the requirements at BH2.15 and A5.1.

BH2.15 Health

The PA and secondary applicants have declared no medical conditions which might require renal dialysis, hospital care, residential care, or special education services.

Provided were as follows:

- Valid medical dated --/--/---- and x-ray dated --/--/---- ASH

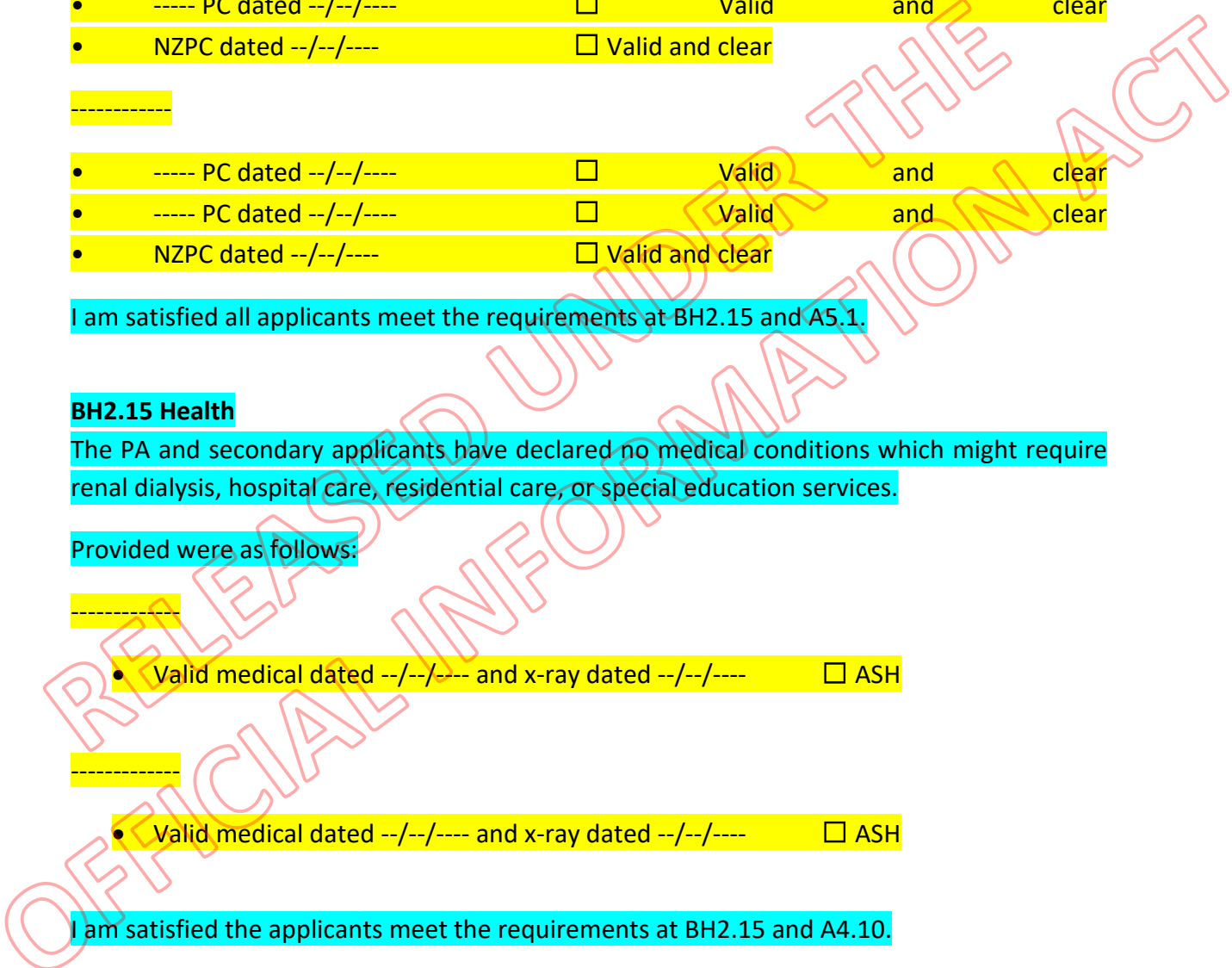
- Valid medical dated --/--/---- and x-ray dated --/--/---- ASH

I am satisfied the applicants meet the requirements at BH2.15 and A4.10.

Identity

I have confirmed the applicants' identity by cross referencing documents/information on file with the information available in AMS. I have cross-referenced the birth certificate details with the passport.

I have checked AMS travel records and confirmed the applicant's current passport has been used to cross the border.



I have confirmed the authenticity of the passport using a manual MRZ check.

OR

I have confirmed the authenticity of the passport by scanning the passport and receiving an authentic result.

I am satisfied that the identity is recorded correctly in AMS and that the risk has been mitigated with regards to identity.

Risk and Verification

A Google search on the business has not revealed any concerns relating to the business. Numerous documents have been provided to show business establishment (listed above).

There are no active or expired alerts/information warnings against the applicants, the advisor or the business on AMS.

Or

I note that there are expired alert/s on one of the applicants/advisor/business, I have considered the surround circumstances regarding these alerts however given their nature and that they are expired I am satisfied they pose no risk to the application.

I have completed a first tier risk assessment and am satisfied that a second tier referral is not required.

Crism completed on --/--/---- No concern

NSC clearance dated --/--/---- No concern

I have verified the IELTS certificate provided by ----- using the online TRF query check, and am satisfied that it is genuine.

I have conducted a verification phone call to the business on --/--/----. I identified myself as an immigration officer. I spoke with -----, regarding -----, No concerns were raised.

[Discuss any other verification here]

I am satisfied all the potential risks have been mitigated in the assessment and verification process.

Summary

I am satisfied as follows:

- The PA has demonstrated that they have successfully established a business in New Zealand that realises the benefits outlined in their business plan, and have operated that business for at least two years, as per BH2.1(a)
- The PA has demonstrated that they have been self-employed in their business for at least two years, as per BH2.1(a)(i) and BH4.1(a)
- The PA has demonstrated that the business is benefiting New Zealand significantly through employment creation, as per BH2.1(b) and BH4.10(a)
- The PA has demonstrated that the business is benefiting New Zealand significantly by trading profitably on the date of lodgement, as per BH2.1(b) and BH4.10(b)
- There is no indication that the business has failed to comply with employment and immigration law, as per BH2.1(c) and BH2.5
- The PA has demonstrated that the same or greater amount of capital has been invested in the business as outlined in the business plan, as per BH2.1(d)
- The PA meets the fit and proper person requirements set out at BM1, as per BH2.1(e)
- The business is consistent with the business proposal in respect of which the PA was granted a work visa, as per BH3.1
- There is no indication that the applicants may have applied for and been granted welfare assistance, as per BH2.25
- The applicants have met the standard health, character, partnership, dependency, and English language requirements, as per BH2.15, A4.10, A5.1, R2.1.15, R2.1.27, and BH2.10

In conclusion, the application meets instructions under the Entrepreneur Residence Visa category.

Decision: APPROVED – subject to payment of ESOL tuition and submission of passports

OR

Decision: DECLINED

I have also considered the application against the criteria of other residence categories. However, based on the information provided, the PA does not appear to have met the requirements of any other residence category.

Business Immigration Specialist

Date: --/--/----