



NEW ZEALAND
IMMIGRATION

Kia ora!

Active Investor Plus visa category

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OFFICIAL INFORMATION ACT



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

New Zealand Government

About this module

In this module you will learn:

- About the Active Investor Plus (AIP) visa category
- Why the AIP is important to New Zealand
- The requirements for the grant of a resident visa
- Section 49(1) conditions
- Investment and weightings
- An overview of the application process
- A comparison to Investor 1 and/or 2



Introduction to Active Investor Plus visa

Investors who invest NZD\$15 million (or weighted equivalent), into acceptable investments can apply for the new Active Investor Plus visa category

Investors can progressively invest their money over a three-year period and retain it for a further fourth year

Available to apply from 19 September 2022

Objective

The objective of the **Active Investor Plus** visa category is to attract **skilled and experienced active investors** to help **build globally successful kiwi businesses** that align with Government's Investment Attraction Strategy, by providing **resident visas** to those who wish to actively participate in New Zealand's **investment ecosystem** and make a **significant contribution to New Zealand's economy.**

Why replace the Investor 1 & 2 visas?

The new Active Investor Plus visa category replaces two existing categories (Investor 1 and Investor 2 visas) which have been running for more than 12 years, and which facilitated passive investments.

The changes are being made to better attract experienced, high-value investors who will bring growth opportunities to NZ businesses.

The new Active Investor Plus visa also encourages greater economic benefit to New Zealand companies by capping passive investment in listed equities to 50% and excluding bonds and property.

The role of INZ and NZTE



INZ will continue to be responsible for making decisions on granting visas, including assessing whether investors meet the conditions of their visa and ensuring all nominated funds and transactions are legitimate.



New Zealand Trade and Enterprise (NZTE) will determine the list of acceptable investment classes, funds and platforms for the purposes of the visa and NZTE will be the lead agency for marketing the new Active Investor Plus visa to potential investors.

General requirements for grant of a resident visa



Meet **health** and **character** requirements for residence (see **A4** and **A5**)



Meet **English language** requirements to ensure investors are able to share their knowledge and skills, and engage in the NZ investment network. (IELTS 5 or equivalent – see **BN5**)



Meet **fit and proper person** requirements (see **BM1**)



Demonstrate **ownership of nominated funds and/or assets** and that the nominated funds and assets have been **legally earned or acquired** (see **BN6.1** and **BN6.1**)

Investment requirements for grant of a resident visa



Transfer and invest a minimum amount of NZD from the nominated funds and/or funds from the sale of nominated assets **into acceptable investments, as follows:**

- minimum of **NZ\$1 million** into **listed equities or philanthropy**; or
- minimum of **NZ\$500,000** into *managed funds*; or
- minimum of **NZ\$100,000** into **direct investments**; and

transfer the remainder of the funds into holding and/or acceptable investments (see **BN7.10, BN8.10, BN7.5**)



The **total value** for the acceptable and holding investments must be **between NZD \$5 million and \$15 million** (see **BN6 and BN7.1**).

Section 49 (1) conditions

To ensure that the principal applicant undertakes the investments at the required time intervals, conditions under s49(1) of the Immigration Act will be imposed on the resident visa. These conditions specify that the principal applicant must:

- invest a minimum of **\$7.5m or weighted equivalent** into acceptable investments in the **first year and a half** of the four-year investment period, and
- invest a total of **\$15m or weighted equivalent** in the **first three years** of the four-year investment period, and
- retain the total **\$15m or weighted equivalent** in acceptable investments for the **final 12 months** of the four-year of the investment period, and
- **maintain investments (holding and acceptable investments)** when made **throughout the four-year investment period**, and
- spend a **minimum of 117 days** over the four-year investment period **in NZ as a resident visa holder**.



Acceptable investments (Appendix 15)

Investment criteria has been determined by NZTE for acceptable investments in Appendix 15. NZTE maintain a list of managed funds and determine if an investment into a NZ resident entity is a direct investment in accordance with the criteria in Appendix 15.

INZ is still responsible for ensuring the transactions meet the instructions for holding investments and all asset classes under acceptable investments.

A business immigration specialist should rely on:

- i. the list of managed funds maintained by NZTE as evidence of whether or not the managed fund is an acceptable investment under managed funds (see [BN7.10.15](#)); and
- ii. a letter from NZTE as evidence of an acceptable direct investment (see [BN7.10.20](#)), for either:
 - investment in an Investee Entity; or
 - investment in acceptable listed equities as a Wholesale Investor.



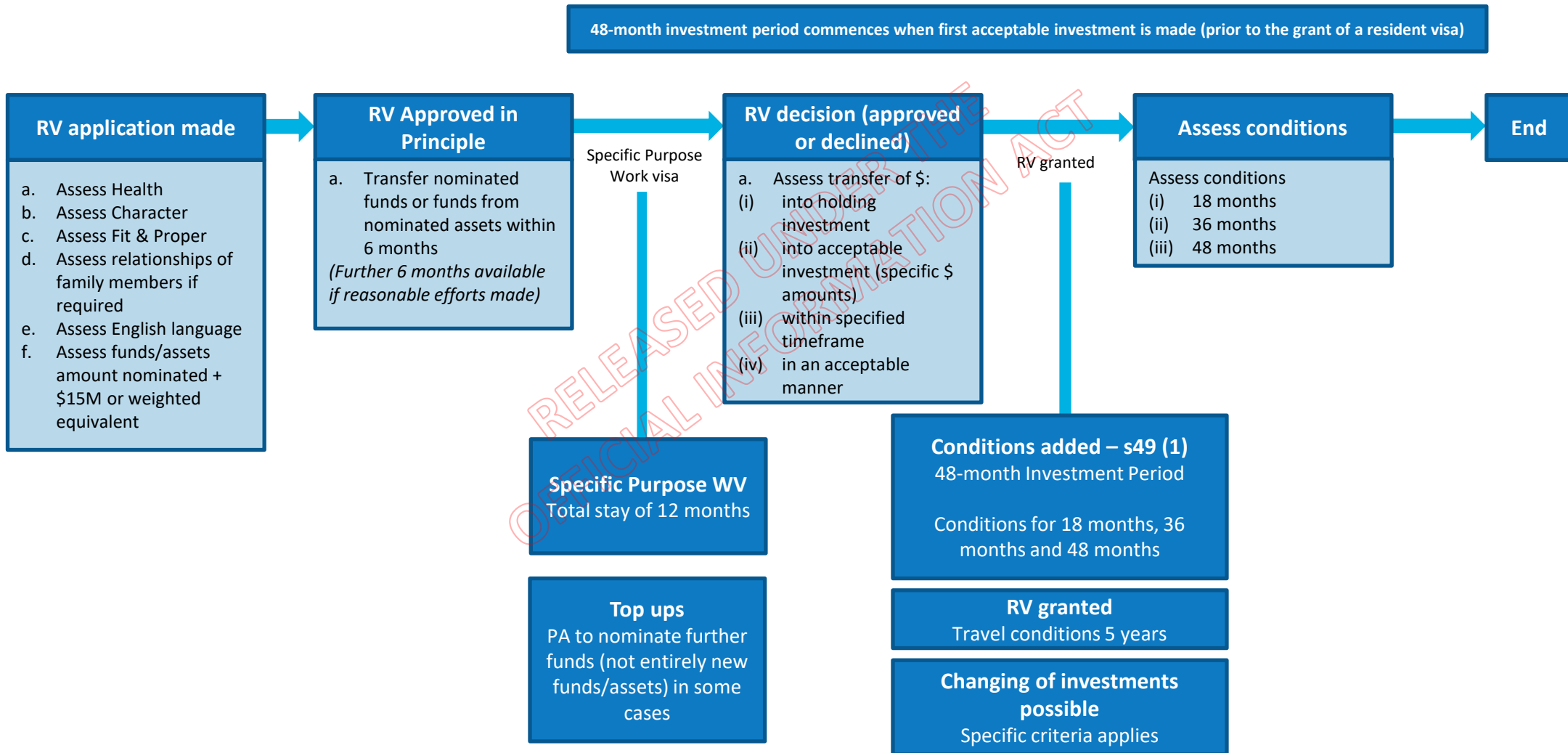
Weighted equivalent

The following table outlines the value of investment made when assessing if section 49(1) conditions have been met:

Instruction reference	Acceptable investment – asset class	Weighted equivalent
BN7.10.1	Listed equities Maximum: NZ\$7.5 million	x1 Each \$1 invested will be accorded the value of \$1
BN7.10.5	Philanthropy Maximum: NZ\$7.5 million	
BN7.10.10	Managed Funds	x2 Each \$1 invested will be accorded the value of \$2
BN7.10.15	Direct investment	x3 Each \$1 invested will be accorded the value of \$3

Application Overview

The ideal application process (noting some investment transactions may occur before the visa is Approved in Principle):



Comparison table

Requirements	Investor 1 and/or 2	Active Investor Plus
Ownership of nominated funds and/or assets	✓	✓
Nominated funds and assets have been legally earned or acquired	✓	✓
Fit and proper person	✓	✓
English language requirements	✓*	✓ IELTS 5.0 (principal applicant only)
Transfer of funds – principal applicant	✓	✓ Some third parties included
Investments & NZ\$	✓	✓ Holding investments Selected acceptable investments New weighting system
NZ\$ amount	✓	✓ \$15 million or weighted equivalent
Specific Purpose work visa	✓	✓ Total of 12 months
Investment period	✓	✓ 48 months
Borrowed funds	✓	✓ amendments
Funds in NZ	✓	✓ amendments
Timeframe to transfer	✓	✓ 12 months
Additional funds	✓	✓ Specified in instructions
Resident visa travel conditions	✓	✓ 5 years

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More information

Refer to the Ops
Manual for the
Immigration
instructions [\[link\]](#)

Refer to the
Immigration website
for more information
[\[Immigration.govt.nz\]](https://www.immigration.govt.nz)

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Guidance Notes to the Criteria for Direct Investments

Date last updated 19 December 2022.

Note: Guidance notes will be updated from time to time.

1. Background and further information

- a) This document provides guidance for entities completing the application form to be assessed by New Zealand Trade and Enterprise (“NZTE”) as an acceptable investment for the purposes of the Active Investor Plus (“AIP”) visa. Please note there are two different application forms for direct investments. These are as follows:
 - i. New Zealand resident entity (“Investment Entity”) currently raising capital
 - ii. Investment Entity where capital has already been invested by an AIP visa applicant (“AIP investor”) prior to it being assessed as an acceptable investment (refer to section 3h)

Note: Only one application form should be submitted for assessment. Please select which application form is applicable to your Investment Entity.

- b) This document is a guide only and is not a substitute for the AIP Visa Immigration New Zealand Instructions (“Immigration Instructions”). You are responsible for reviewing the Immigration Instructions to ensure you have addressed all relevant criteria in your application (note: the Immigration Instructions may be updated from time to time).
- c) Any references to “you” or “your” in this document are to the applicant.
- d) Download the applicable application form from **NZTE’s AIP “Direct Investments” webpage**, under the “Submit an application” section.

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2. Qualification criteria

- a) The criteria against which NZTE will assess if an investment into an Investment Entity is an acceptable direct investment as set out in paragraphs 10 – 18 of Appendix 15 of the Immigration Instructions. In making an assessment, NZTE will have regard to the “Objective” and “Principles” of the AIP visa as set out in the Immigration Instructions (refer to sections 2c and 2d below).
- b) An Investment Entity may be determined as an acceptable direct investment by NZTE either as (per paragraphs 10 to 12 of Appendix 15 of the Immigration Instructions):
- i. An investment in acceptable listed equities (pursuant to BN7.10.1(a) of the Immigration Instructions) as a wholesale investment (that is pre-approved by NZTE); or
 - ii. A qualifying “investee entity” (as that term is defined in Appendix 15 of the Immigration Instructions), being one that:
 1. has previously received, or will receive, capital from an acceptable Managed Fund; (refer to section 3f below)
 2. is listed on the NZTE Live Deals platform (as updated by NZTE from time to time); (refer to section 3g below) or
 3. is otherwise acceptable for the purposes of the Active Investor Plus visa.

c) **Objective (BN1 of the Immigration Instructions)**

The objective of the AIP visa category is to attract skilled and experienced active investors to help build globally successful New Zealand businesses that align with Government's objectives, by providing resident visas to those who wish to participate in New Zealand's investment ecosystem and make a significant contribution to New Zealand's economy.

d) **Principles (per paragraph 1 Appendix 15 of the Immigration Instructions)**

Principles means the principles for assessing whether direct investments or Managed Funds are acceptable investments, being an investment:

- i. **that clearly contributes to the Government's economic strategy (by being high growth potential firms or contributing to positive social and economic impacts);**

NZTE comment: A direct investment must be into a New Zealand business that will make a positive economic or social contribution. For a direct investment to be acceptable, the investment must be in, or convertible into, equity securities in the Investment Entity (see BN7.10.15(a)(i) of the Immigration Instructions). Further, subject to the criteria in Appendix 15 being met, an acceptable investment may involve the transfer of securities from one or more existing shareholders (i.e. is not just limited to the issue of new securities).

Generally, any Investment Entity which is engaged in the acquisition, development, ownership, leasing, management and operation of property assets will not be an acceptable investment. However, there may be circumstances in which an Investment Entity which involves real estate or property assets may be considered an acceptable investment, including if:

- the Investment Entity contributes to the New Zealand Government's economic strategy; and/or
- the Investment Entity's underlying business model is not a pure play on real estate and property assets but delivers an additional value-add compared to stand-alone real estate properties

Guidance Notes to the Criteria for Direct Investments

Note: All property for personal use (e.g. residential) is excluded from qualifying as an acceptable investment.

- ii. **is into legitimate Investee Entities or Managed Funds and proper verification is conducted to ensure this; and**

NZTE comment: Information captured in the application form enables NZTE to complete 'know your customer' and character assessments on the applicant and its major shareholders and directors. This is not a test of the Investment Entity's financial health and growth potential, which is for the AIP investor to ascertain.

- iii. **does not prejudice New Zealand's reputation as a responsible member of the world community.**

NZTE comment: Examples of business activities which may prejudice New Zealand's reputation include (but are not limited to) those which:

- relate to the manufacturing of tobacco or other nicotine-based products;
- relate to gambling, casinos and equivalent enterprises;
- relate to adult entertainment;
- relate to extractive industries (e.g. mining of minerals or other geological materials, water bottling, oil and gas);
- relate to the manufacturing of weapons, including:
 - military weapons;
 - controversial weapons (cluster munitions, landmines, biological and chemical weapons, nuclear weapons and depleted uranium);
 - civilian firearms;
- involve the use of child labour, forced or compulsory labour, or other human right abuses;
- promote any form of discrimination based on race, culture, gender, sexual orientation, or other prohibited grounds;
- are illegal in the country in which the good or service is used or intended to be used; or
- are likely to have a materially adverse impact on the climate or environment.

- e) **New Zealand Resident Entity (BN7.10.20 of the Immigration Instructions)**

The Investment Entity must be a "New Zealand Resident Entity" defined in the Immigration Instructions as a body corporate that:

- i. is incorporated in New Zealand; and
- ii. has its head office in New Zealand; and
- iii. has its centre of management in New Zealand; and
- iv. has control, by company directors, exercised in New Zealand.

NZTE comment: In assessing (iv) above, NZTE will consider if 50% or more of the directors and officers of the Investment Entity have a registered New Zealand residential address.

3. General comments

a) A completed application form will be used by NZTE to consider whether the underlying direct investment is an acceptable investment for the purposes of the AIP visa. An independent Advisory Panel may be appointed by NZTE to assess applications and make recommendations to NZTE as to whether a direct investment in an Investment Entity is an acceptable investment.

b) **Acceptable investment letter**

An Investment Entity assessed by NZTE as an acceptable investment will receive an acceptable investment letter of confirmation from NZTE. An AIP investor who invests in that Investment Entity must provide that letter to Immigration New Zealand ("INZ") as evidence to demonstrate that their investment is considered "acceptable" in accordance with the Immigration Instructions.

- i. An Investment Entity assessed by NZTE as an acceptable investment will receive an acceptable investment letter of confirmation from NZTE. An AIP investor who invests in that Investment Entity must provide that letter to Immigration New Zealand ("INZ") as evidence to demonstrate that their investment is considered "acceptable" in accordance with the Immigration Instructions.
- ii. For Investment Entities currently raising capital, an acceptable investment letter is valid for six months from the date of approval stated in the letter. This means that an AIP investor must make their investment in that Investment Entity within the six month period for it to be considered by INZ as an acceptable investment and count towards their AIP visa investment requirements. NZTE may extend the validity of the letter for a further six months at its discretion.
- iii. For acceptable Investment Entities where the capital has already been invested (refer to 3h), the acceptable investment letter will refer to a specific AIP investor and will be valid for a stated time period.
- iv. Note, NZTE's assessment that an Investment Entity is acceptable does not override or otherwise affect the need for any mandatory regulatory or other approvals for that particular investment under New Zealand law.

c) The Investment Entity to which the acceptable investment letter relates must adhere to NZTE's mandatory disclosure requirements. **This is available on NZTE's website.**

d) When considering applications, NZTE will assess the underlying Investment Entity but will not assess the actual investment transaction made by an AIP investor that has or will occur. Any acceptable investment letter provided by NZTE is part of the evidence required by INZ to determine if an AIP investor is compliant with their AIP visa investment conditions.

e) **Wholesale investment**

Investment Entities that have securities listed or offered through a market operator or crowdfunding provider licensed by the Financial Markets Authority can apply to be assessed as an acceptable direct investment. They must have a separate wholesale investment offer and an AIP investor needs to use this channel to invest capital towards their AIP visa investment requirements. NZTE must approve the Investment Entity as an acceptable direct investment before an AIP investor makes their investment.

f) **Capital from an acceptable Managed Fund**

An Investment Entity which has or will receive capital from an acceptable Managed Fund will need to complete the **applicable application form** and receive an acceptable investment letter from NZTE in order to evidence that it is an acceptable investment. Note, INZ may require evidence from an AIP investor (in checking compliance with their AIP visa conditions) that an acceptable Managed Fund has invested in the Investment Entity. **The list of acceptable Managed Funds can be found here.**

g) **NZTE's Live Deals platform**

Investment Entities currently listed on the NZTE Live Deals platform must still complete the applicable application form and receive an acceptable investment letter from NZTE to evidence that it is an acceptable investment.

h) **Historic direct investments**

Historic investments may also qualify if the following conditions are met:

- The investment transaction was made no longer than three years prior to an AIP investor submitting their visa application with INZ, and that the AIP investor complies with all other acceptable investment criteria as assessed by INZ (refer to section 3d); or
- The investment transaction occurred between the date of AIP investor submitting their AIP visa application but prior to the investment being approved by NZTE; and
- An acceptable investment letter is issued by NZTE (refer to section 3b(iii)).

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4. How to submit your application

- a) An application can be submitted by anyone who has the authority to do so on behalf of the Investment Entity. In your application you will have to declare, among other things, that you have such authority and that the information provided in the application is true and correct to the best of your knowledge.
- b) Please fill in the PDF application form and submit it via email to **AIPacceptableinvestments@nzte.govt.nz**. Applicants are welcome to attach supplementary information to the email, such as investor presentations and other supporting documents, however these must be in addition to the completed application form.
- c) There is no cost to submit your application.
- d) **Timeframes:**
 - i. NZTE will acknowledge the receipt of your application and will confirm when it is complete and ready for assessment. You will receive an email to confirm when your application will be assessed by the Advisory Panel.
 - ii. The Advisory Panel meeting cadence will be published on our website and updated from time to time.

Contact details

Email: **AIPacceptableinvestments@nzte.govt.nz**

Links:

<https://www.nzte.govt.nz/page/acceptable-investments>

www.investnewzealand.nz



APPLICATION NUMBER			
	NAME	DOB	CITIZENSHIP
PRINCIPAL APPLICANT			
SECONDARY APPLICANT			
SECONDARY APPLICANT			
SECONDARY APPLICANT			
ADVISOR	COMPANY		

Regulation documents produced	Yes/No
• Birth certificates
• Passports	
• Police clearance certificates
• Medical documents, x-rays
• NSC
• Marriage certificate	

1.0 Introduction

The applicant submitted their application on

An assessment of the PA’s Active Investor Plus category follows:

2.0 R2.40 Identity

Applicant has supplied their passports (Tag--) and birth certificates (Tag--). The details of the passports have been verified through MRZ checker and did not raise any concern I have also cross-referenced various identity documents on file and have no concern on applicant’s identity.

3.0 BN6 Nominated Funds and/or Assets & BN6.1 Ownership of Nominated funds and/or assets

Immigration Instructions BN6 (a) state the principal applicant must: (i) nominate funds and/or assets equivalent in value to at least NZ\$15 million or weighted equivalent (see BN7.1); and (ii) demonstrate ownership of the nominated funds and/or assets (see BN6.1)

For the purposes of these instructions weighted equivalent is determined by the following table:

Instruction reference	Investment type	NZ dollar amount
BN7.5	Holding investment	Between NZ\$5million and NZ\$15million
BN7.10	Acceptable investment	Between NZ\$5 million and NZ\$15 million determined by asset class and the value per dollar as indicated below.

Instruction reference	Acceptable investment – asset class	Weighted equivalent
BN7.10.1	Listed equities Maximum: NZ\$7.5 million	x1
BN7.10.5	Philanthropy Maximum: NZ\$7.5 million	Each \$1 invested will be accorded the value of \$1
BN7.10.10	Managed Funds	x2 Each \$1 invested will be accorded the value of \$2
BN7.10.15	Direct investment	x3 Each \$1 invested will be accorded the value of \$3

The PA is intending to invest into Listed equities (Maximum: NZ\$7.5 million) Philanthropy (9Maximum: NZ\$7.5 million) Managed Funds Direct investment. As such this has a weighted equivalent of... NZD million.

The PA has nominated investment funds of NZD million.

3.1 Funds nominated in the application

Ownership of Funds/Asset	Funds/Asset	Account Number/ Location	Value (foreign currency)	NZD Equivalent	As of Date

Total claimed NZ equivalent **NZ\$ XX,XXX,XXX** (source: Oanda.com dated --/--/----

3.2 Documents provided with application

(Tag --) Details of Document Provided

(Tag --) Detail of Document Provided

3.3 Comment

The applicant has shown evidence they hold funds in excess of NZ\$5,000,000 required for investment funds. I am satisfied the funds and the supporting document provided are satisfactory evidence.

3.4 Conclusion

I am satisfied that PA’s nominated funds are acceptable as investment funds and that they are of sufficient value to meet the instruction requirements. I am also satisfied that the PA is the owner of these funds as per BN6 (a)(i)(ii) & BN6.1.

4.0 BN6.5 Funds and/or assets earned or acquired legally

4.1 Claims made in application

Immigration Instructions BN6.5 state (a) Funds and/or assets must be earned or acquired in accordance with the laws of the country in which they were earned or acquired, including any currency exchange of the nominated funds and/or assets. (b) Where nominated funds and/or assets have been gifted to the principal applicant, a business immigration specialist must be satisfied that the funds and/or assets being gifted were earned lawfully by the person/s gifting the funds and/or assets. (c) Nominated funds and/or assets that are or were in New Zealand cannot be gifted under these instructions (d) Business immigration specialists may decline an application if they are satisfied that, had the funds and/or assets been earned or acquired in the same manner in New Zealand, they would have been earned or acquired contrary to the criminal law of New Zealand

As evidence of lawful earning of PA’s investment funds, they have provided the below supporting document. The PA claims their investment funds were earned or acquired through &

4.2 Documents provided with application

(Tag --) PA’s Income Tax Documentation

Year	Net Income (FX)
2021	
2020	
2019	
2018	
2017	
Total: FX x,xxx,xxx (NZ\$X,XXX,XXX)	

(Tag --) Details of Document Provided

(Tag --) Details of Document Provided

4.3 Comment

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.

I am satisfied that the applicant has provided credible evidence to demonstrate lawful earnings.

4.4 Conclusion

I am satisfied that the PA has provided sufficient independent and verifiable evidence to demonstrate that the nominated funds/assets were earned or acquired legally as required under Immigration Instructions BN6.5.

5.0 BN6.15 Funds already held in New Zealand

Immigration Instructions BN6.15 Funds already held in New Zealand state (a) Funds held in New Zealand at the time the application is made may be included as nominated funds and/or assets, except where BN6.5(c) applies. (b) The value of the funds held in New Zealand is determined according to its market value at the time the application was made, not the original purchase price. (c) Periods of investment in New Zealand before approval in principle cannot be taken into account when calculating the 48-month investment period. (d) Funds already held in New Zealand must meet the requirements in BN8.10.

Ownership of Funds/Asset	Funds/Asset	Account Number/ Location	Value (foreign currency)	NZD Equivalent	As of Date

5.1 Evidence provided:

(Tag --) Details of Document Provided

(Tag --) Details of Document Provided

(Tag --) Details of Document Provided

I am satisfied that the PA has provided sufficient evidence to demonstrate the funds was originally transferred to New Zealand through the banking system (including via a foreign exchange company or money transfer business) directly to New Zealand as stated under Immigration Instructions BN8.10

6.0 BJ3.5 Health and character requirements

6.1 Documents provided with application

Health Requirements

General Medical Certificates for all applicants are as follow:

Applicant	NZER	Med	X-ray	Note

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, severe haemophilia, or 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 that the applicants have an acceptable standard of health for the purpose of residence – ASH.

Character Requirements

The PA and SA have provided clear police checks as follows:

<i>Applicant</i>	<i>Issued By</i>	<i>Note</i>	<i>Date Issued</i>

The applicants have 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.

6.2 Comment

The PA has provided independent and verifiable evidence demonstrating that all applicants satisfy the health and character requirements under instructions A4 and A5.

6.3 Conclusion

I am satisfied that the applicant meets health and character requirements.

7.0 BN5 English Language Requirements/ BF2 Minimum standard of English

Immigration Instructions BN5 state (a) Principal applicants under the Active Investor Plus visa category meet the minimum standard of English.

7.1 BN5.1 Acceptable English language test results/

The following English language test results are acceptable:

Test	Minimum score required
International English Language Testing System (IELTS)	General or Academic Module Overall score of 5.0 or more
Test of English as a Foreign Language Internet-based Test (TOEFL iBT)	Overall score of 35 or more Pearson
Test of English Academic (PTE Academic)	Overall score of 36 or more
B2 First (First Certificate in English) (formerly Cambridge English: First (FCE) or B2 First for Schools (First Certificate in English) (formerly Cambridge English: First (FCE) for Schools)	Overall score of 154 or more

Occupational English Test (OET)	Grade C or higher in all four skills (Listening, Reading, Writing and Speaking)*
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* A score of Grade C or higher in all four skills is required for the OET as there is no overall grade for this test.

Applicant has provided the following evidence to demonstrate they meet the English language requirement:

(Tag--) List evidence provided

OR

7.2 BF2.1 Evidence of an English-speaking background

Applicant has provided the following evidence of an English-speaking background:

(Tag--) List evidence provided

Based on sufficient evidence provided, I am satisfied that PA meets the English requirements as required under Immigration Instructions BN5.

8.0 R2.1.15 Partnership / R2.1.30 Dependent Children

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. 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:

(Tag --) Marriage certificate dated --/--/----

(Tag --)

(Tag --)

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

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.

Dependent Children

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

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).

I am satisfied that meet the requirements at R2.1.27.

9.0 Fit and proper person requirements:

It is a requirement under BM instructions for principal applicants to be “fit and proper” person under any business category applications.

From the documents provided, there is no indication that applicant has been involved in an incident of non-compliance with any relevant immigration, employment or taxation law in force in the country where the business operates. There is no conviction record for the PA as per Police Certificate supplied. There is no indication that PA has been involved in business fraud or financial impropriety.

I am satisfied PA meets the fit and proper person requirement in line with BN instructions.

10. Verification and Risk profiling

AMS movement show.....

Any active alerts/information warnings against the applicants on AMS.

Any active alert/information warning against the LIA/Lawyer on AMS

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

Risk rating dated:

AMS Risk Rating – No Rules Triggered

NSC clearance –

Searched PA and nominated companies online.....

All risks have been mitigated. There is no apparent adverse information within this application, the information provided was consistent and all documents appeared to be genuine.

11. Summary

The PA appears to have satisfied/not satisfied the instructions under the Active Investor Plus Category. The applicants meet standard health and character requirements of the instructions. The decision recommended on this application is to approve.

Decision taken

DECLINE/APPROVE

Signed :

Signed :

Date:

Business Immigration Specialist

Date:

Technical Advisor

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ACTIVE INVESTOR PLUS CATEGORY – Post AIP Assessment

Investor 1 Application: <App no>
 Principal Applicant: <PA name>
 Lodgement: <date> - (Onshore/Offshore)

1.0 Background

This Active Investor Plus application was approved in principle on <date>.
 An extension to <date> was granted on <date> **remove if not applicable**
 Therefore, the PA must transfer and invest into the following acceptable investments by <date>.

Investment types and weighting

Instruction reference	Investment type	NZ dollar amount
<u>BN7.5</u>	Holding investment	Between NZ\$5m and NZ\$15m
<u>BN7.10</u>	Acceptable investment	Between NZ\$5m and NZ\$15m – see weightings
Instruction reference	Acceptable investment – asset class	Weighted equivalent
<u>BN7.10.1</u>	Listed equities Maximum: NZ\$7.5 million	x1 Each \$1 invested will be accorded the value of \$1
<u>BN7.10.5</u>	Philanthropy Maximum: NZ\$7.5 million	
<u>BN7.10.10</u>	Managed Funds	x2 Each \$1 invested will be accorded the value of \$2
<u>BN7.10.15</u>	Direct investment	x3 Each \$1 invested will be accorded the value of \$3

The PA's accepted nominated investment funds were as follows:

[Copy and paste table from AIP letter]

The PA is required to transfer the sum of **NZDx million (base this on the AIP letter)** to New Zealand and place those funds into acceptable and holding investments. These funds must come from the above nominated assets/funds.

2.0 **Relevant instructions**

This application was accepted on <date>

- *BN8.10 Transfer of the nominated investment funds*
- *BN8.15 Timeframe for investing funds in New Zealand*
- *BN8.15.1 Extending the timeframe for investing funds in New Zealand*
- *BN7.10 Definition of 'acceptable investment'*
- *BN10.15 Section 49(1) condition: minimum period of time in New Zealand*

3.0 **BN8.10 Transfer of funds to New Zealand**

A letter from the PA's adviser, received on <date>, providing details relating to the transfer and investment of the nominated investment funds with supporting documents. **(Tag L1)**

The following documents were provided to show transfer of funds to NZ

Tag F1 (document showing the liquidation of investment assets: sale and purchase agreement shows the names of the PA and buyer and purchase prices, tax certificates).

Tag F2 (Bank statements covering the period of XX/XX/XX to XX/XX/XX)

Tag F3

Rationale (*delete statements not required*)

My review of the documents shows: (describe generally what the evidence provided reflects, speak to your review rather than description of transactions, which can be found by looking at the evidence.)

- Liquidation of the assets has taken place. This is supported by reliable and independently issued evidence. The proceeds have been placed into the PA's bank account.
- In relation to the sale of the property I am/am not satisfied that:
 1. The sale and purchase agreement shows the names of the PA and the buyer and the purchase price
 2. Tax certificates show there is no outstanding tax
 3. Evidence has been provided that shows the PA received the sale proceeds into their bank account
- I have traced the funds from nominated investment funds date to their ultimate arrival in New Zealand.
- During the transfer period the funds have been placed into a number of other bank accounts with other funds. There are a number of unrelated transactions between the time the funds have been introduced and their ultimate withdrawal/transfer. At no stage does the bank account drop below the required amount during this period.
- During the transfer period the funds have been used for temporary investment before transfer to New Zealand. A review of the bank statements shows the funds being returned to the same account. Transaction references show the detail of the investment product. The PA has also provided documents in support of the temporary investment product.
- There are no obvious indicators the nominated investment funds have been switched to funds from a different source.
- The investment funds have been transferred in a number of transactions and then consolidated into bank account in New Zealand before purchase of the investment.
- I note the funds have been transferred through a bank that is registered with the central bank and is not under public investigation and have clear obligations under AML.
- I note the funds have been transferred through a foreign exchange company. In line with instruction BN8.10 c.
- I note that the funds have been transferred from a lawyer's client account
- Comment at point of time funds were converted into NZD (include dates and who converted the funds).
- The Holding Investment is in the name of the PA

- A number of concerns as follows:
 - Funds have been placed into a mixed-use account and the account balance has drop below the required level of investment funds...
 - No evidence has been provided demonstrating...
 - A PPI/RFI was sent out on <date> to the LIA/lawyer/PA to raise the concern. The response was received on <date> stating....” Are instructions met/not and why.

Conclusion

Having examined the documents provided in relation to the transfer of funds I am/am not satisfied that the applicant has met transfer instructions:

- The nominated funds remained in the control of the PA between <AIP funds as at date> and transfer to NZ on <date> (if a number of transactions state between which dates)
- The nominated funds were transferred from the PA’s bank account through the banking system to NZ.
- The funds transferred to NZ came from nominated funds
- The amount of nominated funds transferred is <amount>

5.0 BN3. a. vii Initial Acceptable Investment

A minimum of NZ\$1 million into listed equities or philanthropy; or
 a minimum of NZ\$500,000 into managed funds; or
 a minimum of NZ\$100,000 into direct investments

The PA has invested \$x in <>

The following documents were provided to show investment of funds in NZ

- Document I1
- Document I2
- Document I3

The PA has invested in New Zealand listed equities, philanthropy (managed funds, direct investments (*select all that apply and remove non applicable paragraphs below*).

5.1 Initial investment is in Listed Equities

Investment portfolio <no. if applicable> with <name> in the name of <name of PA and/or SA>

NZ Shares	Number of shares
Total clean cost	NZD

The purchases were completed on <date>

5.2 Initial investment is in Managed Funds/Private Equity/Venture Capital

Managed Fund name	Units held
Total clean cost	NZD

The managed fund is included in NZTE’s list of approved funds

5.3 Initial investment is in Direct Investments

Direct Investment Company	Shares/units held
Total clean cost	NZD

NZTE Approval letter dated <dd/mm/yy> for this investment(s) is held on file.

6.0 **BN3. a. viii and BN7.5 Holding Investment**

- bonds issued by the New Zealand government or local authorities; or
- term deposits with New Zealand registered banks; or
- deposits in a New Zealand bank account.

The PA has invested in <Bonds, Term Deposits, Bank accounts>

NZ Bonds/TDs/Bank deposits (state which)	Maturity (if bond or TD)	Quantity/amount	Clean cost if bonds. Balance if TD or Account
Total balance/clean cost			

From the evidence provided I have noted the following:

- the holding investment is in the name of the PA
- the holding investment meets instruction BN7.5

Where investment is a direct investment in a New Zealand business

- Evidence has been provided that the PA deposited <NZD amount> into the business account to purchase <number of shares>
- NZTE approval letter confirming this as an 'acceptable investment' has been received (held on T drive)

Summary of Post AIP investment

Post AIP	Initial investment plus holding investment		
Investment type	Amount invested	Weighting	Weighted amount
Equities		1	\$0.00
Managed Funds		2	\$0.00
Direct Investments		3	\$0.00
Holding investment		1	\$0.00
Total			\$0.00
Total must be equal to or exceed NZD15,000,000 (or weighted equivalent)			

Conclusion

I am/am not satisfied that the applicant has met investment instructions:

- The minimum amount required under instructions has been invested
- The investments are all deemed acceptable in accordance with instructions
- In the case of the managed funds and/or Direct Investments, the investments have been approved by NZTE. Approval is held on file.

- The investment(s) was made within the deadline of <date>

The documents provided clearly demonstrates that the PA has transferred their nominated funds to New Zealand. These funds were used to purchase acceptable investments that meet BN7.5 and BN7.10.

7.0 Verification

There **are/are no** active/expired AMS alerts/warnings against the applicants or the adviser (or their business if PA has invested in a company). Crism shows (any risk rules triggered? – mitigate if yes)

Where medium and high risks have been identified, I have undertaken intermediate/advanced verification in the form of: (List down here what verification activities were undertaken and the outcome.)

- Verification request has been raised -

I have examined the documents provided and consider the risk matrix created for business visa applications for risk identification and risk mitigation. This application is considered low/medium/high. We note this is not considered under normal business risk rules.

I am satisfied that there **are/are no** risk factors with this transfer and investment. I have considered all documents submitted **meet/do not meet** BN8 requirements.

The documents provided at Post AIP stage appear to be original or system generated documents and are provided on their respective letterheads. These documents appear genuine. There were no concerns identified. I have not requested original copies as those supplied are assessable, do not contain any contradictions, and appear to be submitted directly from the bank or an online source.

I am satisfied the documents provided with this application are credible and genuine and no further verification referral is required.

8.0 Summary

In the case of this transfer and investment, I **am/am not satisfied**, based on the documents provided, that this application meets the Active Investor Plus category INZ BN8 instructions.

I recommend resident visas may be issued once any applicable fees have been paid.

Decision taken: APPROVE/DECLINE/WITHDRAWN

Business Immigration Specialist
Signed:

Technical Adviser
Signed:

Name:
Date:

Name:
Date:

Using SAFER to lodge and assess an Active Investor Plus online visa application

Once a person has made an online PLONE application for the Active Investor Plus resident visa, the data will be transferred to and saved in SAFER. Within three hours of submission, the application will also be exported into AMS and diverted to the correct application queue.

All officers - Accessing SAFER

1. Log into SAFER

Prior to lodging or assessing an application, your manager will ensure that you have access to the SAFER system. Through this process, you have the ability to choose your username and password. We recommend using your AMS or MBIE login.

You can access the SAFER system by following this link:

<https://safer.immigration.govt.nz/>.

You will need to ensure that you are using Google Chrome, as it is the only browser which supports SAFER.

Login Name

Password

Log in

Forgot your password?
If you have forgotten your password, we can send you a new one.

Enter your “login name” and “password” and click “log in”.

2. Finding the submission ID in SAFER for an application

Once you are logged into SAFER, you will see a search-bar in the top-right corner that says “Search by submission ID”

You are now logged in

Continue to the SAFER for INZ home page

Note: If you do not remain logged in after leaving this page, it is because you need to enable cookies in your browser.

In order to find the submission ID, you will need to log on to AMS and then enter the AMS application number that you want to complete lodgement or assessment activities for. From here, you can bring up the AMS notes for that application:

AMS - Customer Interaction

File Edit Help

Client

Application



Date/Time	Officer	Branch	Type	Client/Appln#	Client name/Appln Type
07/Sep/2021	Capa, Grester	Northern Regi	Application N	s9(2)(a)	Visa, Work, Variation of Cor
Case Manager changed from: Capa, Grester					
Case Manager changed to: Queue, PLONE VOC					
Case Manager changed by: Capa, Grester on: 2021-09-07 16:55:36					
06/Sep/2021	Saunders, Peter	Northern Regi	Application N	s9(2)(a)	Visa, Work, Variation of Cor
Case Manager changed from: PLONE VOC, Case Manager					
Case Manager changed to: Capa, Grester					
Case Manager changed by: Saunders, Peter on: 2021-09-06 15:42:10					
03/Sep/2021	PLONE VOC, Case M	Northern Regi	Application N	s9(2)(a)	Visa, Work, Variation of Cor
The Plone reference number for the application is s9(2)(a)					
03/Sep/2021	PLONE VOC, Case M	Northern Regi	Application N	s9(2)(a)	Visa, Work, Variation of Cor
Application created by PLONE VOC, Case Manager Case Manager					

The Plone reference number for the application is s9(2)(a)

Please refer to the Plone repository for further supporting data and documents for the application.

In the AMS notes you will find an automatically populated message which states “The Plone reference number for the application is...”. This reference number (highlighted in the screenshot above) should be copied and pasted from AMS into the SAFER search-bar as the “submission ID”.

You can also find the application through your dashboard which will have a list of “your data sets”.




SAFER for INZ [redacted] (Tester)  Data Sets Help Manage 

Dashboard for [redacted] (Tester)

SAFER is Immigration New Zealand's Secure Access Formdata Electronic Repository.
This application allows authorised INZ staff to easily access and review data submitted by external users while safeguarding the underlying information.

Your Data Sets

The Data Sets that you have access to are listed below.

Data Set			
2021 Resident Visa (payment upfront)	97		31 days ago
2021 Resident Visa Application	90		202 days ago
2021 Resident Visa Payment Form	47	1	213 days ago
2021 Resident Visa Refund form	34	22	171 days ago
AEVV Work Visa	69		49 days ago
Active Investor Plus Visa	85		1 day ago
Border Exception Request - Business	1045		29 days

Your Recent Activity


Changes and access to data is recorded in the SAFER Audit Log.

Submission Viewed Active Investor Plus Visa > 850daeb36c8341008bff166188fb92ba	15 Sep 2022 12:59:29 NZST mcintoc6
Submission Viewed Active Investor Plus Visa > 850daeb36c8341008bff166188fb92ba	15 Sep 2022 12:59:26 NZST mcintoc6
Submission Viewed Active Investor Plus Visa > 850daeb36c8341008bff166188fb92ba	15 Sep 2022 12:59:22 NZST mcintoc6
Submission File Downloaded Active Investor Plus Visa > f00e344aa84545e3a30fdccdfc674753 Payment Information: gst_receipt.pdf	14 Sep 2022 10:53:26 NZST mcintoc6
Submission Viewed	14 Sep 2022

This includes a list of applications that you have access to. You may not be able to identify applications this way (particularly if you have a large caseload, for example), therefore you will find that entering the submission ID and searching for it in the toolbar is the easiest way to find an application.

3. Lodgement and Assessment activities in SAFER


Once you have searched for the submission, the form will be brought up, showing each question and the applicant's answer:

SAFER for INZ Claire McIntosh (Tester)  Data Sets Help Manage - Search by Submission ID

Submission

Active Investor Plus Visa
850daeb36c8341008bff166188fb92ba
 06 Sep 2022 10:15:56 NZST

State
 Exported -



Data Notes History Print Share Payment Info

Submitted Data

The users' submitted form data is displayed here. File attachments can be downloaded by clicking on the buttons below.
This information has come from the user who originally submitted the form. It cannot be changed.

- Show Submission Metadata
- Show Raw Field Names

#	Field	Value
1	I am:	a Licenced Immigration Advisor
2	Advisers licence number:	20111111
3	Licence type:	Full
4	Advisers last name:	AdvisorLastName
5	Adviser first names:	Bob
6	Organisation name:	Advisor Organsiation Name
7	Street number:	4
8	Street address or PO Box:	Test Street
9	Suburb:	Test Suburb
10	Town or city:	Test Town
11	Country:	Angola
12	Postcode:	1111
13	Mobile phone number:	+64-21-887-7777 Vodafone, New Zealand
14	Email address - adviser:	test@advisor.gmail.com
15	Family name:	Colour
16	First name 1:	Camel
17	First name 2:	Julie
18	First name 3:	Michelle
19	Date of birth:	05 May 1998
20	Gender:	Male

Where a person is required to upload a document as part of the PLONE form, it will show in SAFER as below. From here, you will be able to click on the blue icon, automatically downloading the document for you to open and assess:

26	Country or territory of passport:	Hong Kong (HKG)
27	Passport expiry date:	18 Sep 2026
28	Upload a photo of yourself:	Snow White.jpg (11KB IMAGE)
29	Upload a copy of your passport or travel document:	Passport or travel document.pdf (463KB PDF)
30	Upload National Security Check form (INZ 1209):	National Security Check.pdf (262KB PDF)
31	Building name:	Book Name

If an applicant has uploaded an incorrect document, and you need to request further information, then you may draft a Request Further Information (RFI) or Potentially Prejudicial Information (PPI) letter through AMS and email it to the applicant. Once the applicant provides the correct documentation, you can scroll to the bottom of the SAFER form to see the “internal data set”.

As long as the status of the form is “received”, “exported” or “errored” then you may use this function to add or remove additional documents. If the application is “completed” then a manager will be required to add or remove any further documents.

The blue icons can be used to add documents. To do this, you can click the icon, then select “choose file” and select the file that you wish to upload from your desktop. Finally, click “save changes” to upload the file:

Internal Data
 Internal Data is additional information that has been added to the Submission by SAFER users. **This information has not come from the user who originally submitted the form.**

#	Field	Value	
1	Character documents (Principal Applicant)	< no value >	
2	Character documents (Principal Applicant)	< no value >	
3	Character documents (Partner)	< no value >	
4	Character documents (Partner)	< no value >	
5	Character documents (Dependent Child)	< no value >	
6	Character documents (Dependent Child)	< no value >	
7	Health documents (Principal Applicant)	< no value >	
8	Health documents (Principal Applicant)	< no value >	

1 Character documents (Principal Applicant) **Edit Value**











No file chosen

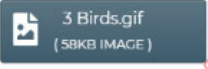




2MB limit, can be a xls,xlsx, pdf, jpeg, jpg, doc, docx, png or gif

The red icons can be used to delete documents. To do this, you can click the icon, ensure you are deleting the correct thing and then select “delete field value”:

Internal Data

Internal Data is additional information that has been added to the Submission by SAFER users.
This information has not come from the user who originally submitted the form.

#	Field	Value	
1	Character documents (Principal Applicant)	< no value >	 
2	Character documents (Principal Applicant)	< no value >	 
3	Character documents (Partner)	< no value >	 
4	Character documents (Partner)	< no value >	 
5	Character documents (Dependent Child)	< no value >	 
6	Character documents (Dependent Child)	< no value >	 
7	Health documents (Principal Applicant)	< no value >	 
8	Health documents (Principal Applicant)	< no value >	 

4	Character documents (Partner)		 
5	Character documents (Dependent Child)	Delete Value Are you sure you delete this field value? <input type="button" value="Cancel"/> <input type="button" value="Delete Field Value"/>	
6	Character documents (Dependent Child)	< no value >	 

RELEASED UNDER THE OFFICIAL INFORMATION ACT