

Evidence the applicant has paid
himself a wage

Released under the Official Information Act 1982

Immigration NZ

15 JAN 2021

NaDO

Benefits created for New Zealand

Released under the Official Information Act 1982

History of Fiddler's Green Vineyard & Bistro

Falaise & Lt. Commander Sydney John Hales R.N. settled & named Fiddler's Green in 1981.

Barry & Jennie Johns established the renowned wine vineyard a decade later winning multiple international awards.

After a worldwide search at sea for two years, the Rath family sailed into New Zealand in 2016 to find & restore the property to an organic vineyard & bistro.

Fiddler's Green is in 19th-century maritime folklore describing a kind of hereafter for sailors, where there is perpetual mirth, a fiddle that never stops playing, the wine never stops flowing and dancers never tire.

Fiddler's Green lore states "a sailor can find this paradisaical land by walking inland with an oar over his shoulder until he finds a place where people ask him what he's carrying."

Fiddler's Green is where the Rath family has found their heaven on earth to produce fine wines & dining for sailors and land lovers alike.

Wet ya Whistle

Fiddler's Green Vineyard / Bistro™

244 Georges Road
Waipara Valley, 7482
www.fiddlersgreen.nz
03 314 7679

WINE	GLASS	BOTTLE
<u>Sauvignon Blanc</u>		
2020 Fiddler's Green	12	45
2014 Kressmann Bordeaux		85
2012 Omihi Road		50
<u>Pinot Gris</u>		
2017 Omihi Road	12	45
2017 Georges Road		55
<u>White Blends</u>		
Colere Solera NV Pinot Blanc/Pinot Gris		45
2017 Pegasus Bay Sauvignon /-Semillon		80
2014 Mountford Estate Homage (Gewurtz, Muscat, Pinot Gris & Riesling)		70
<u>Gewurtztraminer</u>		
2020 Fiddler's Green	12	45
2009 Waipara Springs / Premo		50
<u>Riesling</u>		
2020 Terrace Edge (vg)	13	50
2017 Mon Cheval	15	55
2014 Old Glenmark Vicarage	13	50
<u>Dry Riesling</u>		
2020 Fiddler's Green	12	45
2010 Waipara Springs		50
<u>Late Harvest / Dessert</u>		
2018 Georges Rd. Noble Reisling		55
2014 Old Glenmark Vicarage	15	48
2010 Greystone Basket Star Riesling		70

NON-ALCOHOLIC	GLASS
Sparkling Water	5
Fever-Tree Tonic 200ml Elderflower, Aromatic, Mediterranean	5
San Pellegrino Sparkling 330ml Lemon, Grapefruit, Blood Orange,	5
Allganics Sparkling 330ml Ginger Beer, Lemon Lime & Bitters	5
Allganics Juice 275ml Apple, Apple Fejoia, Apple Blueberry Ginger	5
Coke, Sprite, Club Soda	5
Juices Orange, Cranberry, Tomato, Grapefruit	5
<u>Coffee</u>	
Regular	5
Large	5.50
Hot Chocolate	5
Tea English Breakfast, Earl Grey, Green, Berry, Peppermint	5
Takeaway	+50
Soy, Almond Milk	+50
Decaf	+50

Take away Beer & Wine available until 10 pm

LIQUEUR

Absinthe (Montmartre)	20
Bailey's Ireland)	10
Cadushy (Bonaire) Cactus or Orange	20
Cointreau (France)	13
Compari (Italy)	11
Frangelico (Italy)	11
Galliano (Italy) Vanilla or Sambuca	13
Glavya (Scotland)	15
Grand Marnier (France)	13
Grappa de Chardonnay (Italy)	18
Hennessy Cognac (France)	14
Jagermeister (Germany)	11
Kahlua Coffee (Mexico)	12
Marie Brizard Anisette (France)	20
Pimm's No. 1 (England)	10
Tia Maria Coffee (Italy)	10
Torlesse Cassis	8
Wild Turkey Am. Honey	16

TEQUILA

El Jimador Blanco (Mexico)	10
Trianon Reposado (Mexico)	20
Jose Cuervo Especial (Mexico)	10
Patron XO Café (Mexico)	11

RUM

Goslings 151 (Bermuda)	16
Stolen Gold (Trinidad & Tobago)	14
Caruba Gold (Jamaica)	14
Bacardi Carta Blanca (Cuba)	14
Le Mauny Signature (Martinique)	20

Chardonnay

2018 Fiddler's Green	12	45
2018 CupCake Monterey CA		62
2018 Greystone Organic		60
2018 Pegasus Bay		95
2017 Waipara Springs Reserve		55
2017 Flowers Sonoma Coast USA		150
2015 Omihi Road		50
2014 Pyramid Valley		220
2014 Mountford Estate		103
2011 Felton Road – Elms Otago		150

Rose'

2020 Fiddler's Green Blush	12	45
2020 Terrace Edge	15	56
2018 Mon Cheval	16	58
2018 Fancrest Pinot Noir (vg)		72

Pinot Noir

2018 Fiddler's Green	13	48
2018 Fiddler's Green Reserve	25	95
2017 Graystone		65
2016 Bell Hill Old Weka Pass Road		175
2015 Fancrest Reserve		89
2015 Colere		70
2015 Bell Hill		280
2014 Old Glenmark Vicarage		70
2015 Harris Estate		81
2014 Mountford Estate		103
2014 Fancrest		81
2012 Mon Cheval	25	100
2010 Mon Cheval LeChar	35	150
2008 Mon Cheval		130

<u>Pinotage</u>		
2017 or 2016 Muddy Water		120
<u>Syrah/ Shiraz</u>		
2018 Georges Rd.		65
2018 Terrace Edge (vg)	25	100
2017 Jacob's Creek Double Barrel		60
<u>Cabernet Sauvignon</u>		
2016 Stag's Leap Artemis		310
2014 Ridge Vineyard Estate Santa Cruz		195
<u>Red Blend</u>		
2018 Pegasus Bay		75
2016 Pegasus Bay Maestro		125
1998 Chateau Grand Pontet, St. Emilion		210
<u>Port</u>		
Torlesse 10yr. Old Tawny		18
Burmester Tawny		24
<u>Champagne/Sparkling</u>		
Deutz Cuvee Brut 200ml		24
Lindauer Special Reserve	14	45
2020 Greystone Petillant Natural	16	60
2018 Silver Wing Pet-Net		55
#1 Family Estate Assemble		65
#1 Family Estate No. 1 Cuvee		85
Koyama Riesling Brut		90
Dom Perignon 2008		495
<u>Beer</u> GLASS/BOTTLE		
Renaissance IPA, Pilsner, Scotch Ale <i>Light IPA</i>	10	
Heineken, Corona, Amstel <i>Light</i>		10
Concept Brewing APA, Hazy IPA,		10
Lager, NZ Pale Ale		10
New Eruption Dark Lava		10
Craft Beer Fillery 1.25 Liters		20.50

<u>CIDER</u>	
Winning Capital Cider (on tap)	12
<u>COCKTAILS</u>	
Premium Mixed Drinks	15
Cosmopolitan	18
Dark & Stormy	18
Tom Collins	18
Bloody Mary	18
Margarita	18
Side Car	18
Mojito	18
White Russian	18
Martini/Vodka or Gin	18
<u>WHISKEY</u>	
<u>Irish</u>	
Tullamore Dew	14
Jameson	14
<u>Scotch</u>	
Aberfeldy	16
Glenlivet	16
Laphroaig Islay	18
Johnnie Walker Red Label	12
Ballantine's	12
Grants	12
<u>North American</u>	
Jack Daniels #7 Tennessee Sour Mash	12
Southern Comfort New Orleans	12
Canadian Club	12
Jim Beam Kentucky Bourbon	12
Woodford Reserve Bourbon	14
Maker's Mark Bourbon	14

Tasting is \$10 per person

Fiddler's Green Vineyard & Bistro 244 Georges Rd. RD2 Amberley 7482 NZ
www.fiddlersgreenbistro.co.nz colin@fiddlersgreenbistro.co.nz Tel: +64 03 314 7679

2020 Dry Riesling \$27

Straw coloured in the glass. Rich and rather exotic on the nose with peach and rock-melon. The palate is full and textural with a creamy feel supporting a range of citrus fruits. Long fresh palate perfect for food pairing. Alc 14.20% RS 7 g/l

2020 Sauvignon Blanc \$27

Pale in the glass. Aromatically intense with typical Waipara Sauvignon characters of feijoa, thai basil and background stonefruits. The palate shows ripeness and intensity with yellow peach, passionfruit, lime and lemon verbena. A beautiful wine to pair with seafood and light meals. Alc 13.5% RS 4 g/l **Cameron Douglas 92 Points Dec 2020**

2020 Gewürztraminer \$28

Light lemon in color. Gently floral showing lychee, Turkish delight and subtle vanilla bean on the nose with fresh stonefruits and musk balanced by ripe fruity acidity. The perfect wine to enjoy with cheeses or lightly spiced meals. Alc 13.5 % RS 18 g/l

2018 Chardonnay \$29

Ripe lime & grapefruit aromas with blossom & brioche. The palate is soft and full with flavours of gentle melon & white peach, complimented with a vibrant underlying minerality & buttery complexities. Alc 12.5 %

2020 Blush Rose \$26

Light rose petal in color. On the nose this Rose shows raspberry and cream, leading to an enticing palate of cherry and red berry. Fresh fruity acidity supported by more complex almond and subtle baking spices flow through to a long finish. Lovely to enjoy chilled with a charcuterie platter. Alc 14.5 RS 8 g/l

2018 Pinot Noir \$34

Aromas of red & forest fruits with rose petal, iron filings and earth. The palate is vibrant, Moorish & long with flavours of wild raspberry, cranberry & vanilla with delicate mineral acidity. Bottled unfinned & unfiltered. Enjoy now or through to 2025. Alc 12.5%

2018 Pinot Noir Reserve \$65

This 2018 Pinot noir was aged for 17 months in barrel, of which the latter 3 months were spent resting in a specially imported American oak barrel from Jack Daniels distillery. The wine exhibits some high-toned whisky notes with smoky char which intermingles beautifully with cherry and red fruit aromas, baking spice and liquorice from the wine. The wine is elegant yet supple, a silky texture with good acid balance and smooth tannins on the finish. Would happily cellar for 5-7 years Alc 12.5 %

Fiddler's Green Vineyard / Bistro™

Captain's Menu

Blue Cheese Souffle' – Double baked, light & fluffy Souffle' of Kikorangi Blue & mild Cheddar served with wilted Kale & Baby Spinach in Chardonnay Cream(v) 14

Scallops— Pan Seared on Pork Belly with a fragrant Star Anise Dressing & White Wine Sauce (gf) 28

Pate'—Chicken Pate' cooked with White Wine & Herbs, Served with Petite Salad, Balsamic Dressing, Gherkins & Toasted Points(gf option) 14

Vol Au Vent – Two Crusty Puff Pastries filled with Chicken & Mushroom in creamy white sauce, served with Petite Salad, Radish Pickles and Fennel Dressing 18

(Suggested Pairing 2018 Fiddler's Green Chardonnay)

MAINS

Ika Kikorangi – Grilled Paprika & Lemon zest Blue Cod, with Mokau Kelp, steamed Seasonal Vegetables in Citron et Vin Blanc (gf) 41

(Suggested Pairing 2020 Fiddler's Green Dry Riesling)

Pacific Sea Scallops - Wild caught, extra-large Sea Scallops Pan Seared on slow roasted Pork Belly in fragrant Star Anise Dressing & White Wine Sauce with poached Prawns (gf) 43

(Suggested Pairing 2020 Fiddler's Green Blush Rose)

Canterbury Sirloin – 300g Char-grilled premium grass-fed Sirloin, Yorkshire Puddings, Mashed Potatoes, Seasonal Vegetables, Portobello Mushroom, Red Wine Rosemary Jus 45

(Suggested Pairing 2012 Mon Cheval Pinot Noir)

Duck L' Orange— Confit slow roasted Crispy Half Duck in classic Orange Sauce served with steamed Baby Vegetables & Mashed Potatoes (gf) 43

*(Suggested Pairing 2020 Fiddler's Green Sauvignon Blanc
Cameron Douglas 92 points 12/20)*

We source our ingredients from sustainable, local Canterbury farmers and wine suppliers.

Please advise us of any special dietary requirements or allergies for a more enjoyable dining experience

Crew Menu

Taste Plate – Fresh Bread, selection of Cheeses, Pate', Cured Meats, Mt. Cook cold smoked Salmon, Tempura Vegetables, Chutneys, Olives & Pickles (2-3 persons) 45

Baked Squash with Quinoa Pilaf – Turmeric infused Quinoa with Portobello Mushrooms, Kale, Swiss Chard & Baby Spinach, Herbal Cranberry sautéed Apples with Light Citrus Finish, served with a petite salad (vg,gf) 35

(Suggested Pairing 2018 Fiddler's Green Vineyard Chardonnay)

Fish & Chips – Beer battered Blue Cod, Garden Salad, House Fries with Tartare & Tomato Sauce (df,) 31

Two Yorkshire Puddings with Beef Jus (v option) 8

Seasonal Vegetables (v,gf) 9

Green Salad – Dressed seasonal greens (vg,gf) 7

House Fries – Served with Tomato Sauce & Mayonnaise (v) 9

Kid's Menu – Fish & Chips (df) or Crumbed Chicken Tenders & Chips (df) 17

Dessert

Chocolate Lava Cake –Chocolate & Hazelnut sauce, Caramelized Hazelnuts with Vanilla Ice Cream 18

Caramel Crumble Apple – Vanilla & cinnamon poached Apple with Salted Caramel sauce, Crumble & Vanilla Ice Cream 17

Coffee Cashew Cream Cake with Salted Caramel Popcorn – Chocolate Nut Base with Cashew nut Cream Center , topped with Cocanut Caramel & Popcorn (gf,vg) 18

Vanilla Crème Brulee – with Pear Compote, Pecans & Vanilla Ice Cream (gf) 17

Cheese Plate – Three Cheeses with petite Salad, Toasted Pecans, Onion Chutney & toasted points (gf option) 19

(v)Vegetarian (df)Dairy free (gf)Gluten free (vg)Vegan

Enjoy our daily fresh baked sourdough baguette with each order.

Gluten free crackers available upon request.

Baguettes available for Take Away 5 Souvenir plastic wine glasses 5 each

244 Georges Rd. Waipara Valley 7482 www.Fiddlersgreen.nz 03.314.7679
Wed – Sun 11am – 10pm



MALCOLM PACIFIC IMMIGRATION

Trust · Integrity · Service

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24 March 2017

VIA IMMIGRATION ONLINE

Immigration New Zealand

Dear Sir/Madam

Colin Rath - Client No. s9(2)(a) of the OIA

Attached is an application for a Work Visa lodged on behalf of the above named lodged for a 6 month Work Visa under the Specific Purpose Work Visa Instructions.

I am authorised to act for the above named.

This application is lodged with permission from Ruyang Shao, Immigration Manager; see attached email dated 22 March 2017 confirming this application will be accepted for processing as an exception

CASE OVERVIEW

- The applicant is a 53 year old American Citizen. He is married with three dependent children. s9(2)(a)
- The applicant has his Entrepreneur Work Visa (EWW) application pending at the Business Migration Branch (BMB). It was accepted for processing on 9 February 2017. Allocation is expected within 12-15 weeks.
- The applicant has purchased an existing Vineyard business in North Canterbury for the purpose of his EWW. His involvement is very limited due to him holding only a Visitor Visa.
- Due to the long processing time for EWW Applications, we are applying for a 6 month Work Visa that allows the applicant to work while it is being processed.
- s9(2)(a). He has declared a character issue in his past EWW application to Immigration New Zealand.

SPECIFIC PURPOSE OR EVENT

The applicant has purchased an existing Vineyard in North Canterbury for the purpose of his EWW. The purchase price is NZ\$1,200,000 and is subject to Immigration and Overseas Investment Office (OIO) approval. As part of the purchase agreement, the applicant is leasing the property from the vendor. He requires a temporary Work Visa to manage this property and business until the EWW is processed. Granting this Work Visa would not predetermine the EWW, as the Sale and Purchase agreement is still subject to OIO and EWW approval. We attach this agreement for your reference.



The applicant has proposed to benefit New Zealand through the creation of employment and significant increase in the annual turnover of the business - the business is very run down and the applicant has engaged advice from various consultants who have confirmed with some work the finances of the business can be significantly increased. Since the purchase of this property the applicant has already created full time employment for two New Zealand Citizens. Evidence of this is held on file at the BMB.

APPLICANTS RELEVANT WORK EXPERIENCE/ QUALIFICATIONS

The applicant has over 10 years of self-employment work experience. From s9(2)(a) of the OIA [REDACTED], the applicant was a 49% owner of a s9(2)(a)2(a) of the OIA [REDACTED] as the majority owner.

The applicant was actively involved in the management and operation of the company. Documentation to show this has been provided with the EWV application.

HEALTH

s9(2)(a) of the OIA

CHARACTER

The applicant has provided a FBI Police Certificate and Canadian Police Certificate with his EWV application. The applicant declared his character issues to INZ in the EWV application.

s9(2)(a) of the OIA

We attach the applicant's explanation for your reference.

CONCLUSION

The applicant has purchased an existing Vineyard business and requires a Work Visa to manage it properly, until his EWV application is processed.

The applicant has already brought benefit to New Zealand through employing two New Zealand citizens.

The applicant has sufficient business experience to implement his business plan, and has undertaken extensive research and advice to ensure the success of the business.

We therefore request a 6 month Work Visa so that he can continue managing the business until the EWV application is processed.



ATTACHMENTS

- Work visa declaration form - INZ 1225.
- 1 x electronic passport photo.
- Applicants passport.
- Evidence of Specific Purpose or Event
- Email from Ruyang Shao, Immigration Manager

Yours faithfully

s9(2)(a) of the OIA

Released under the Official Information Act 1982



Work Visa Declaration Form

A declaration for work visa applicants if another person is applying online on their behalf

Using this form

Use this form if you have authorised another person to submit an online application for a visa on your behalf. You must sign Section A to show you understand and agree to the statements about your application and any visa you may be granted.

You must sign EITHER Section B or Section C to indicate you have given someone else the authority to submit the application online for you:

- Use Section B if the person submitting the form is a licensed immigration adviser or a person exempt from licensing (such as a lawyer) and that person will continue to act on your behalf during the processing of the application
- Use Section C if the person submitting the form is only providing assistance to you by recording your information on the online form and submitting it for you.

Section A: Work Visa Declaration

I agree:

- to tell Immigration New Zealand about any changes to my circumstances that occur after making this application (including a change in my employment or partnership status) that may (i) affect the decision on my application for a visa, or (ii) affect the decision to grant entry permission based on the visa for which I am applying
- to leave New Zealand before my visa expires
- that if I am not entitled to free health care in New Zealand, I will pay for any health care or medical assistance I may require in New Zealand.

I understand that:

- if I remain in New Zealand after my visa has expired, I may be liable for deportation
- if I have received immigration advice from an immigration adviser and if that immigration adviser is not licensed under the Immigration Advisers Licensing Act 2007 when they should be, Immigration New Zealand will not further process my application
- Immigration New Zealand may provide information about my entitlement to work to potential employers via the online VisaView system.

I authorise:

- Immigration New Zealand to provide information about my health and my immigration status to any health service agency
- any health service agency to provide information about my health to Immigration New Zealand
- Immigration New Zealand to provide information about my immigration status to my education provider, including via VisaView, if I undertake a course of study while in New Zealand
- Immigration New Zealand to make any necessary enquiries about information on this form and/or accompanying documentation
- any agency whether in New Zealand or overseas, including but not limited to border or immigration agencies, education providers, financial institutions, foreign embassies, government authorities, healthcare providers, insurance providers, police or other law enforcement agencies, that holds information (including personal information) related to information on this application form and/or accompanying documentation to disclose that information to Immigration New Zealand or the Ministry of Business, Innovation and Employment.

If I am granted a limited visa, I agree that I will leave New Zealand on or before the expiry date of that visa.
If I do not leave New Zealand, I may be immediately deported from New Zealand without the right of appeal.

I confirm that all the information I have provided is true and correct, and that I have provided all the necessary documents. I understand that information provided in the online form by another person on my behalf is considered to be information provided by me. I understand that if false or misleading information is submitted, my application may be declined without further warning.

I agree with the declaration

Signature of Principal Applicant Date

Signature of parent or guardian if principal applicant is under 18 years of age

Date

Section B: Authority to act with regards to your visa application

To be completed if an immigration adviser, lawyer or another person exempt from the requirement to be licensed under the Immigration Advisers Licensing Act has recorded your information in the online form, will be submitting the online form on your behalf and will continue to act on your behalf throughout the processing of your application.

Note: Only a licensed immigration adviser or person exempt from licensing may act on your behalf throughout the

s9(2)(a) of the OIA

Section C: Authority to submit your visa application

To be completed if a person has assisted you by recording your information in the online form and will be submitting the form on your behalf. Note that unless that person is licensed or exempt from licensing, he or she cannot provide you with immigration advice or act on your behalf with regards to the processing of your application.

I authorise of
to submit my work visa application online.

Signature of Principal Applicant Date

New Zealand Government

5/1/17

Colin David Rath

s9(2)(a) of the OIA

s9(2)(a)

To whom it may concern:

To purpose of this letter to is provide an explanation for the criminal history listed on my FBI Police Certificate.

s9(2)(a) of the OIA

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Colin Rath

Released under the Official Information Act 1982

30 March 2017



New Zealand Work Visa Approval

Application number [redacted] s9(2)(a) of the OIA for a New Zealand Work Visa - Specific Purpose or event has been approved. If this application has been made through an immigration adviser, lawyer or other representative who is exempt from licensing, this entire document must be provided to the applicant.

Work Visa details

Applicant: COLIN RATH

Date of Birth: [redacted] s9(2)(a) of the OIA

Gender: Male

Nationality: US

Passport number: [redacted] s9(2)(a) of the OIA

The start date of your visa is: 30 March 2017

You must arrive in New Zealand before:

The number of times you may enter New Zealand using this visa is: Multiple

The last date you may travel to New Zealand is: 30 September 2017

Your visa expires and you must leave New Zealand on or before: 30 September 2017

The conditions of your visa: Stay subject to grant of entry permission. You must leave before visa expiry or face deportation. Financial support evidence not required. Return/onward ticket not required. The holder may only work as Self employed for not specified in New Zealand.

PRINT THIS DOCUMENT AND CARRY IT WITH YOUR PASSPORT AT ALL TIMES

The details above reflect the electronic record of your visa held by Immigration New Zealand (INZ). You do not require a visa label in your passport. Do not attempt to alter this letter. It is an offence under the Immigration Act 2009 to use a document that you know has been altered.

Please check that the above visa details match your passport before you travel and contact INZ immediately if there are any errors. If you are offshore, you may only enter New Zealand after the start date of your visa.

You may be asked to show this letter when you check in for your flight to New Zealand and/or when you arrive at the New Zealand border. If you cannot show this letter when asked, the airline may not let you board your flight or you may be delayed when entering New Zealand.

You can only hold one visa at a time. Any previous visa you held is now void and has been replaced by the visa referred to in this letter.

How can you prove your visa details without a visa label in your passport?

Your employer can verify the details of your visa online using VisaView. With your consent, other people or organisations such as health care providers or travel agents can verify the details of your visa using the Visa Verification Service. See: www.immigration.govt.nz/visaview.

Do you have a new passport?

If you get a new passport while this visa is still valid, you must request INZ to update your visa details so that they match your new passport. INZ's website has information on how to do this:

<https://www.immigration.govt.nz/new-zealand-visas/already-have-a-visa/transferring-my-visa-to-a-new-passport>.

You must not remain in New Zealand after your visa expires

You must hold a valid visa at all times while you are in New Zealand. If you do not hold a valid visa you will be in New Zealand unlawfully and you will be liable for deportation. If you do not leave voluntarily before you are served with a deportation order you will face a prohibition period preventing your return to New Zealand in the future.

Do you need more information about eVisas, the conditions of your visa, or how to extend your time in New Zealand?

For information about eVisas (label-less visas) go to <http://kb.immigration.govt.nz/item/11271>

To understand your visa conditions, apply to change those conditions, or find out if you may extend your time in New Zealand go to <https://www.immigration.govt.nz/new-zealand-visas/already-have-a-visa/my-situation-has-changed>.

See <http://kb.immigration.govt.nz> for answers to frequently asked questions or to send an enquiry to INZ, or call our Immigration Contact Centre on +64 9 914 4100 from outside New Zealand, 09 914 4100 from Auckland, or 0508 55 88 55 from the rest of New Zealand.

Do you need information about living and working in New Zealand, or information to help prepare your move to New Zealand?

- To learn more about living and working in New Zealand go to: www.newzealandnow.govt.nz
- To contact us with any questions about life in New Zealand, visit: <https://www.newzealandnow.govt.nz/move-to-nz/getting-help-support>
- While you are in New Zealand, we recommend registering with New Zealand's tax service, Inland Revenue by applying for an IRD number. To find out why you need an IRD number and how to apply for one, go to <http://www.ird.govt.nz/irdnum-individuals>

Message for carriers and border staff

This letter confirms that an electronic visa has been granted for travel to New Zealand. We request your assistance in facilitating the visa holder's travel to New Zealand, in accordance with the conditions set out in the Visa Details box at the top of this letter.

Carriers can verify this visa through the New Zealand Advance Passenger Processing (APP) system or the TIETAC NZ system.

给航空公司和边检人员的信息

本信件确认前往新西兰的电子签证已经发放。我们请您依据本信件“签证详情”栏中所述的签证条件协助该签证持有人前往新西兰。

航空公司可以使用新西兰Advance Passenger Processing (APP)系统或新西兰TIETAC系统验证本签证。

From: Ruyang Shao
Sent: 22 March 2017 10:56 a.m.
To: s9(2)(a) of the OIA
Cc:
Subject: RE: EWW - Colin Rath A/No [REDACTED] [UNCLASSIFIED]

Hi [REDACTED]

Further to our conversation, this is to confirm that I am happy to grant your client a 6 months specific purpose work visa given his unique circumstances. Please feel free to contact me if you need anything further from me.

Kind regards

Ruyang

Ruyang Shao

IMMIGRATION MANAGER

Entrepreneur Work and Residence Team

Business Migration Branch | Immigration New Zealand

Ministry of Business, Innovation & Employment

ruyang.shao@mbie.govt.nz | Telephone: +64 (0)4 896 5562 | Level 12, State Insurance Building, 1 Willis Street, Wellington 6011 | PO Box 27149, Wellington, New Zealand

 cid:image001.jpg@01CE82D4.45661A40

Feedback

Were you satisfied with the overall quality of our service? Did we do what we said we would do? Please email any feedback you may have to BusinessMigrantFeedback@mbie.govt.nz

s9(2)(a) of the OIA

Sent: Friday, 17 March 2017 11:17 a.m.

To: Ruyang Shao; Katy MacLeod

Subject: EWW - Colin Rath A/No [REDACTED]

Hello Ruyang and Katy

I hope that your week is going well and the office move when smoothly.

I am writing to you in regards to the above applicant, Colin Rath, and his Entrepreneur Work Visa application pending at BMB.

This EWW application was accepted for processing on 9 February 2017 and the INZ acknowledgement letter states allocation is expected within 12-15 weeks. Based on this timeframe we can expect allocation between 4th and 25th May 2017.

To give you a very brief overview of this application - the applicant is American and has purchased an existing Vineyard business in north Canterbury. The purchase price is NZ\$1,200,000 and is subject to Immigration and Overseas Investment Office (OIO) approval. As part of the purchase agreement the applicant is leasing the property from the vendor.

The applicant has proposed to benefit New Zealand through the creation of employment and significant increase in the annual turnover of the business - the business is very run down and the applicant has engaged advice from various consultants who have confirmed with some work the finances of the business can be significantly increased. Also, for your information, since the purchase of this property the applicant has already created full time employment for two New Zealand Citizens.

Evidence of the above is held on the file at BMB.

The difficulty which the applicant currently faces is that at this point he only holds a Visitor Visa so is very limited in his involvement of the business.

In a situation, would you agreed to consider the issuing of a 6 months visas under Specific purpose or event instructions "WS 2(k) *People who need to come to New Zealand for any other specific purpose or event where they meet the objective of these instructions (WS1) and the circumstances justify the grant of a work visa*"? This request has been allowed for other applicant's we have assisted in the passed.

The granting of this 6 month Visa will allow the applicant to be actively involved in the business and provide INZ sufficient time to process the Entrepreneur Work Visa Application. This would not pre-determine the EWW application as this will simply allow the applicant to work on the property which he has leased, the S&P agreement is subject to the EWW and OIO approval.

If you are not prepared to consider a 6 month Specific Purpose Work Visa to allow the applicant to be self-employed is it possible to consider prioritising the allocating this application? This is not only in the best interest of the applicant but also his NZ employees.

If you wish to discuss this email further please call me on the number below.

Thanks and I look forward to hearing from you soon,

Regards

s9(2)(a) of the OIA



s9(2)(a) of the OIA

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s9(2)(a)

PO BOX 6219 WELLESLEY STREET AUCKLAND 1141

Ministry of Business,
Innovation & Employment
PO Box 3705
Wellington 6140

s9(2)(a)

Tax Invoice/Receipt

Invoice Number: s9(2)(a)

Invoice Issue Date: 28 March 2017

Invoice Paid Date: 28 March 2017

Currency: New Zealand Dollars

Payment Form/Method s9(2)(a)

Total: 298.00 NZD

Details	Currency	Base	Discount	Waived Amount	GST Amount (15%)	Total Cost
COLIN RATH Visa Application, Work Fee s9(2)(a) of the OIA	NZD	\$226.09		\$0.00	\$33.91	\$260.00
COLIN RATH Visa Application, Work Levy s9(2)(a) of the OIA	NZD	\$33.04		\$0.00	\$4.96	\$38.00
					Total Amount Paid	\$298.00
					Balance	\$0.00

Released under the Official Information Act 1982

Work Visa Application - s9(2)(a) of the OIA - COLIN RATH

Application Submit Date & Time: 28 March 2017 10:33AM (NZT)

Version: February 2017 V4.0

Identity and Contact

Please provide some basic information about yourself.

What is your name as shown on your passport?

Family/last name **RATH**Given/first name(s) **COLIN**Middle name(s) **Not answered**Title **Mr**

Other names you are known by or have ever been known by (if applicable)

Other family/last name **Not answered**Other given/first name(s) **Not answered**Other middle name(s) **Not answered**Name type **Not answered**What is your gender? **Male**

What is your date of birth? s9(2)(a) of the OIA

Where were you born?

Country/territory **United States of America**

State/province/region s9(2)(a)

Town/city s9(2)(a)

Provide details of your passport

Passport number s9(2)(a)

Country/territory s9(2)(a)

Expiry date s9(2)(a)

If applicable, provide details of your national identity number

s9(2)(a) of the OIA

If applicable, provide details of other citizenships you hold

If applicable, provide details of other citizenships you hold **Canada**What is your partnership status? **Married / in civil union**Have you previously applied for a visa for New Zealand? **Yes**

Client number s9(2)(a)

Please provide details of where you live and how we can contact you. Our preferred method of communication is through email so please make sure you provide an email address you check regularly.

What country do you currently live in?

Country/territory **New Zealand**

Provide your current residential address s9(2)(a) of the OIA

Provide your telephone and email contact

Telephone (landline) **Not answered**

Mobile number **s9(2)(a)**

Email **COLIN@WAIPARAWINDS.CO.NZ**

Confirmation email **COLIN@WAIPARAWINDS.CO.NZ**

Is your postal address the same as your current residential address? **s9(2)(a)**

Provide your most recent overseas address

s9(2)(a) of the OIA

Declaration

Immigration New Zealand (INZ) will use the information you have provided on this page to check if you may apply for a visa online. By selecting 'I agree', you give permission for the information you have provided to be used for this purpose. If you do not agree, you may delete this information by clicking 'Cancel'. Note that if you do not delete this information it will be retained in your online account until deleted according to our retention policy. See the [Immigration New Zealand website](#) to download the application form and make a paper based application.

I agree **Yes**

Work Details

Provide details about the work visa you are applying for.

What type of work visa are you applying for? **Specific Purpose or Event**

What type of specific purpose or event are you coming to New Zealand **Other** for?

Provide details of the specific purpose or event that you are coming to New Zealand for **6 MONTH VISA FOR SELF-EMPLOYMENT, LODGED WITH PERMISSION FROM INZ UNDER SPECIFIC PURPOSE CATEGORY**

Do you have a job offer that requires New Zealand Registration? **No**

How long do you plan to stay in New Zealand in total (including the time you have already spent in New Zealand)? **24 months or more**

Health Details

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Character Details

Applicants for all visas must meet our character requirements. If you plan to be in New Zealand for 24 months or longer you may be required to provide a police certificate from your country of citizenship and any country you have lived in for five years or more since the age of 17. Find out how to obtain a police certificate [here](#).

Have you ever been convicted at any time of any offence, including any driving offence? **Yes**

What was the offence? s9(2)(a) of the OIA

Provide details

s9(2)(a) of the OIA

Have you ever been removed from, deported from, expelled from, excluded from or refused entry to, any country, including New Zealand?

In any country, including New Zealand, are you currently under investigation, wanted for questioning, or facing charges for any offence? **No**

Have you ever been refused a visa by any country, including New Zealand? **No**

If you would like to provide further information, such as circumstances surrounding the issue you have declared above or further details about your reason for applying for a visa, provide this here:

s9(2)(a) of the OIA

Have you lived in any country for more than 5 years since the age of 17 (not including your country of citizenship)? **No**

Have you provided a police certificate from United States of America with a previous application? **Yes**

Was the police certificate issued in the last 24 months? **Yes**

Police Certificate - Canada

Have you previously provided a police certificate for this country with a previous application? **Yes**

Was the police test certificate issued in the last 24 months? **Yes**

Work History

Please provide details of your work history

Are you currently working? **Yes**

If you are currently working, provide details of your current work. If you are retired, provide details of your last paid work.

Name of employer **WAIPARA WINDS LIMITED**

Employer's Address **246 GEORGES ROAD RD1 AMBERLEY 7828 NEW ZEALAND**

Telephone (landline) **Not answered**

Mobile number **s9(2)(a) of the OIA**

Email **COLIN@WAIPARAWINDS.CO.NZ**

Type of work/occupation/job title **s9(2)(a) of the OIA**

Start date **s9(2)(a) of the OIA**

End date **Not answered**

Provide details of all periods of previous work, include periods of self employment and employment outside New Zealand.

Start date **s9(2)(a) of the OIA**

End date **s9(2)(a) of the OIA**

Name of Employer **s9(2)(a) of the OIA**

Employer's Address **s9(2)(a) of the OIA**

Type of work/occupation/job title **s9(2)(a) of the OIA**

Start date **s9(2)(a) of the OIA**

End date **s9(2)(a) of the OIA**

Name of Employer **s9(2)(a) of the OIA**

Employer's Address **s9(2)(a) of the OIA**

Type of work/occupation/job title **s9(2)(a) of the OIA s**

Start date **s9(2)(a) of the OIA**

End date **s9(2)(a) of the OIA**

Name of Employer **s9(2)(a) of the OIA**

Employer's Address **s9(2)(a) of the OIA**

Type of work/occupation/job title **s9(2)(a) of the OIA**

Start date **s9(2)(a) of the OIA**

End date **s9(2)(a) of the OIA**

Name of Employer **s9(2)(a) of the OIA**

Employer's Address **s9(2)(a) of the OIA**

Type of work/occupation/job title **s9(2)(a) of the OIA**

Start date **s9(2)(a) of the OIA**

End date **s9(2)(a) of the OIA**

Name of Employer **s9(2)(a) of the OIA**

Employer's Address **s9(2)(a) of the OIA**

Type of work/occupation/job title **s9(2)(a) of the OIA**

Start date **s9(2)(a) of the OIA**

End date **s9(2)(a) of the OIA**

Name of Employer **s9(2)(a) of the OIA**

Employer's Address **s9(2)(a) of the OIA**

Type of work/occupation/job title **s9(2)(a) of the OIA**

Qualification History

Provide details of all qualifications you hold.

Start date s9(2)(a) s9(2)(a)

End date s9(2)(a) s9(2)(a)

Name of institution s9(2)(a) of the OIA

Name of qualification Bachelors of Science in Economics

Other Contacts

Provide details of your contacts in New Zealand.

Do you have any contacts in New Zealand? **No**

Apply on Behalf / Assist

Provide information about any person assisting the applicant with this application by providing immigration advice, explaining, translating, or recording information on the form for the applicant.

Are you completing this form on behalf of someone else? **Yes**

In what capacity are you completing this form? **Immigration adviser/exempt from licensing/lawyer**

Provide the name and contact details of the person assisting the applicant

Family/last name s9(2)(a)

Given/first name(s) s9(2)(a)

Company name (if applicable) **Not answered**

Address **PO BOX 6219 WELLESLEY STREET AUCKLAND 1141**

Telephone (landline) s9(2)(a)

Mobile number s9(2)(a)

Email s9(2)(a)

Are you a licensed immigration adviser? **Yes**

What type of licence do you hold? **Full**

Provide the conditions of your licence as specified in the register **Not answered**

Provide your licence number s9(2)(a)

Upload Documents

Based on the information you have provided you must upload the following documents to support your visa application. The size of each document must not exceed 10 MB. A document that is translated must be a [certified](#) or [official translation](#).

See our [help pages](#) for [uploading documents](#) and [taking acceptable passport photos](#).

Passport style photograph of your head and shoulders from the front **rath3.JPG (28645 bytes)**

Relevant pages of the passport/travel document you will be travelling on **PP.pdf (573973 bytes)**

Your identification card, if available **No files uploaded**

If this document is not in English and has been translated, upload the **No files uploaded**
translation

Evidence [required](#) for your Special Purpose or Event work visa

Evidence **244-246 Georges Rd SP Agrmt completed 25 10 2016.pdf (2464541 bytes)**

Completed [Work Visa Declaration Form \(INZ 1225\)](#) for the visa applicant

Work Visa Declaration Form (INZ 1225) **1225.pdf (750828 bytes)**

Are there any other documents you wish to provide in support of your **Yes** application?

Document type **Other document, not listed**

Additional document **INZ Email.pdf (544990 bytes)**

If this document is not in English and has been translated, upload the **No files uploaded** translation

Document type **Cover letter**

Additional document **Sub WV Specific Purpose.pdf (107610 bytes)**

If this document is not in English and has been translated, upload the **No files uploaded** translation

Document type **Evidence of character**

Additional document **s9(2)(a) EXPLANATION.pdf (14004 bytes)**

If this document is not in English and has been translated, upload the **No files uploaded** translation

Declaration

Before you submit your application, you must agree to the declaration below. Please read it carefully and make sure you understand it before selecting 'I agree'.

I confirm that the applicant asked me to help them complete this form. I confirm that the applicant agreed that the information provided was correct before the declaration was completed.

I agree **Yes**

Work Visa Application - **s9(2)(a) of the OIA** - COLIN RATH

Thank You

COLIN RATH

We received your **s9(2)(a) of the OIA**

What happens next?

Your application will be forwarded to the Immigration New Zealand Northern Area Documentation office. Information on processing times can be found on our [Website](#). You do not need to send us your passport. We will contact you by email if we require further information.

You can view your application as a PDF document under 'Submitted applications' in [your account](#). Your visa application fee payment receipt is also available as a PDF under the application.

Date/Time Created: 28/Nov/2016 01:22 PM
Officer: Jin, Shirley
Branch: Northern Region Documentation Branch
Type: Travel Document
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Passport Scan Saved
Travel Document Number: s9(2)(a) of the OIA
Country of Citizenship: United States of America

Date/Time Created: 28/Nov/2016 01:24 PM
Officer: Jin, Shirley
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Address added 28/11/2016 s9(2)(a)
colin@waiparawinds.co.nz, Allow Online Viewing=No s9(2)(a)

Date/Time Created: 28/Nov/2016 01:24 PM
Officer: Jin, Shirley
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Address added 28/11/2016 C/-, s9(2)(a) Malcolm Pacific Limited, POBOX
6219, Wellesley Street, Auckland, , NZ, 1141, s9(2)(a) , akld@malcolmpacific.com,
Allow Online Viewing=Yes

Date/Time Created: 28/Nov/2016 02:35 PM
Officer: Lu, Jing
Branch: Northern Region Documentation Branch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Visitor, General

Application created

Date/Time Created: 28/Nov/2016 02:36 PM

Officer: Lu, Jing

Branch: Northern Region Documentation Branch

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 6 months, less or equal to 12 months. This was entered for the principal applicant RATH, COLIN

Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 28/Nov/2016 02:37 PM

Officer: Lu, Jing

Branch: Northern Region Documentation Branch

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 28/Nov/2016 02:37 PM
Officer: Lu, Jing
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 28/Nov/2016 02:37 PM
Officer: Lu, Jing
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 28/Nov/2016 02:38 PM
Officer: Lu, Jing
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 29/Nov/2016 11:13 AM
Officer: Vaai, Falute
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Visitor, General

s9(2)(a) of the OIA

Date/Time Created: 29/Nov/2016 11:15 AM
Officer: Vaai, Falute
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Visitor, General

app fwd to Christchurch

docs sent:
PPT x 5
INZ 1017
supporting documents

s9(2)(a) of the OIA

Date/Time Created: 01/Dec/2016 10:12 AM
Officer: Customs User ID, Customs User ID

Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --

Customer Services Officer: Georgia Brunt, Date Recorded: 1/12/2016 10:12:04 a.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Christchurch branch.
The required information was provided.

Call Type: Failure Demand

Malcolm Pacific - LIA
Trusted - s9(2)(a)

Adv- application received NRDB 25/11/2016
FWD to CHCH - received 30/11/2016 morning
48 hours to lodge
not accepted yet

Date/Time Created: 01/Dec/2016 10:33 AM
Officer: Duncan, Erin
Branch: Christchurch
Type: Travel Document
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Passport Scan Saved
Travel Document Number: s9(2)(a)
Country of Citizenship: United States of America

Date/Time Created: 01/Dec/2016 10:34 AM
Officer: Duncan, Erin
Branch: Christchurch
Type: Client Notes
Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Address updated 1/12/2016 s9(2)(a), Malcolm Pacific Limited, POBOX
6219, Wellesley Street, Auckland, , NZ, 1141, s9(2)(a), akld@malcolmpacific.com,
Allow Online Viewing=Yes

Date/Time Created: 01/Dec/2016 10:40 AM
Officer: Duncan, Erin
Branch: Christchurch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Visitor, General

Application Type: Visitor, General
Date of Issue: 30/11/2016
Given to: Placed in Work Team Transfer Bin

Items received:
Passport (Original) x 5
Application form (Copy) x 1
Passport Sized Photos (Copy) x 1
Correct Application Fee
Birth Certificate(Copy) x 3
Evidence of Funds (Copy) x 1
Marriage Certificate (Copy) x 1
Supporting Documents x 1

Date/Time Created: 01/Dec/2016 10:46 AM
Officer: Duncan, Erin
Branch: Christchurch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 6 months, less or equal to 12 months. This was
entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: No. This was entered for the principal applicant
RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No.

This was entered for the principal applicant RATH, COLIN

Date/Time Created: 01/Dec/2016 10:48 AM

Officer: Duncan, Erin

Branch: Christchurch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Visitor, General

THIS IS A GENERATED NOTE COMPLETED DURING THE SECOND STAGE ASSESSMENT OF THIS APPLICATION, PLEASE DO NOT CONTACT THE OFFICER WHO ENTERED THIS NOTE INTO AMS. ALL COMMUNICATIONS REGARDING THIS PRE-ASSESSMENT ARE TO BE SENT TO INZCHCHVISAXXXX@XXXX.XXXX.NZ

A NZ PC has not been requested due to: client not having spent 5 years or more cumulative in NZ.

Historical medicals date: DD/MM/YYYY

Date/Time Created: 01/Dec/2016 11:08 AM

Officer: Queue, Unallocated Paper

Branch: Christchurch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Visitor, General

Risk rating = None | Risk Category = None

Value rating = None | Value Category = None

Have the risk/value ratings changed since the profile was last generated?: Yes | (CRisM Profile ID: s9(2)(a) | Date/Time of profile: 1/12/2016 11:08:55 a.m. | Profile generated at: Determination | Requesting Officer: Temp, Queue | Requesting Branch: Christchurch)

Out of scope

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Interim visa, General

Application Created by Interim, Visa Christchurch

Date/Time Created: 01/Dec/2016 11:15 PM

Officer: System, Interim

Branch: Christchurch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Interim visa, General

Interim visa Appln#: s9(2)(a) of the OIA - approved through Interim Visa Batch process

Date/Time Created: 05/Dec/2016 09:15 PM

Officer: Gavin, Ingrid

Branch: National Contact Centre

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Visitor, General

call obs check

Date/Time Created: 13/Dec/2016 10:47 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --

Customer Services Officer: Megna Pala, Date Recorded: 13/12/2016 10:47:22 a.m.

Client's Licensed Advisor contacted ICC about (Checking my progress , I need an update

on my application?)

This contact relates to the Christchurch branch.

The required information was provided.

Call Type: Failure Demand

Spoke to **s9(2)(a)** from Malcolm Pacific calling us from trusted number.

Advised:

- waiting for a co to be allocated
- processing timeframes
- TA/Im name

Date/Time Created: 14/Dec/2016 10:29 AM

Officer: Hill, Gay

Branch: Christchurch

Type: Application Notes

Appln #: **s9(2)(a) of the OIA**

Application Type: Visa, Visitor, General

Visa Assessment

VATInterimTHPBSD4

Application Number **s9(2)(a) of the OIA**

Triaged Risk Level: Medium

APPLICATION INFORMATION

Application Type: General

Purpose of Travel: Holidaying/Sightseeing

Permitted length of stay requirements met with requested visa length: I confirm all applicants included in the application meet the 9 in 18 month rule. Instruction V2.5.1 met.

Partner included in application? Yes

Dependants included in application? Yes

Applicant is sponsored? No

Total Time In New Zealand (From Arrival To End Of Proposed Visa): Between 6 & 12 months

IDENTITY INFORMATION

Age: 18 & over

Satisfied ID confirmed? Yes - PPT Scan Valid

Identity comments: Applicant's identity has been confirmed; Passport scanned successfully

HEALTH ASSESSMENT (INSTRUCTION A4)

Significant health issues declared? No

Applicant Meets Health Requirements? ASH - Applicant is of an acceptable standard of health (A4.15)

Satisfied Applicant meets health instructions? Yes

Health comments: No issues with health or medicals / no serious concerns.

No warnings or other information to suggest any Health issues. I am satisfied applicant is of good health. A4 Health requirements met.

CHARACTER (INSTRUCTION A5)

NSC: Response received with no comment

Character issues declared? No

PC from NZ: Not required

PC(s) from Country of Citizenship: Not required. Total stay less than 2 years (A5.5)

PC(s) from Third Country or Country of Dual Citizenship: Not required. Total stay less than 2 years (A5.5)

Satisfied character requirements met? Yes

Character comments: No character issues declared. I am satisfied that the applicant is of good character. Instructions A5.1 and A5.5 met.

PARTNER (INSTRUCTION E4.1.20 / E4.5.5 / E4.5.20)

Partner is included in this application? Yes

Genuine and Sustainable:

Evidence Provided: A marriage certificate for the parties

Birth certificates of any children of the parties

Evidence of living together: Satisfied PA and partner are living together, based on the evidence provided.

Joint tenancy agreement or rent book or rental receipts

Comments:

Health: ASH - Applicant is of an acceptable standard of health (A4.15)

Comments:

Satisfied character requirements met? Yes

Partner NZ PC: Not required

Foreign PC(s): Not required. Total stay less than 2 years (A5.5)

PC(s) from Third Country or Country of Dual Citizenship: Not required. Total stay less than 2 years (A5.5)

Comments:

Satisfied with the relationship of the PA and Partner? Yes

SECONDARY APPLICANTS

Secondary Applicant(s) included in this application? Yes

Evidence that all secondary applicant(s) is/are dependent on the PA:

Birth Certificate(s) showing the names of the parent(s)

Secondary Applicants meet the definition of a dependant (E4.1.10)? I have reviewed the evidence provided and am satisfied all dependants included in the application meet the definition of a dependant as specified in E4.1.10

Evidence of parents' consent provided for children under 16 years old. (E4.5.20 and E4.1.15)? N/A

Health: X-ray & meds not required as total stay less than 6 months (A4.25)

Satisfied with the relation of the PA and the dependant(s)? Yes

SPONSORSHIP (INSTRUCTION V2.2)

Sponsor Relationship: N/A - Not sponsored

Sponsorship evidence:

ASSESSMENT (INSTRUCTION V2)

Evidence of Funds Provided:

Credit or debit cards with sufficient credit available

I have reviewed the evidence provided with the application, and I am satisfied that the applicant(s) have access to sufficient funds for their intended length of stay. Instruction V2.20 met.

statement from **s9(2)(a) of the OIA**

Evidence of Outward Travel Provided:

Outward travel requirement met given the sufficient funds provided.

I have reviewed the evidence provided with the application, and I am satisfied that the applicant(s) meet outward travel requirements. Instruction V2.25 met.
as above

BONA FIDE (E5)

Satisfied applicant(s) is bona fide: Yes

The following evidence has been provided and reviewed :

Showing family ties to the applicant's country of citizenship or residence.

Confirming real estate ownership in the applicant's country of citizenship or residence.

Visas held previously by the applicant

Bank account(s) held by the applicant showing traceability of

incoming funds

I am satisfied that the applicant(s) genuinely intend to temporarily stay in New Zealand for a lawful purpose, and do not believe the applicant(s) intent to remain in New Zealand unlawfully, breach the conditions of any visa granted, or will be unable to leave or be deported from New Zealand.

RISK (PROCESS)

Risk Identified: No - application information and evidence accepted at face value

Verification Activities : N/A

Satisfied risk acceptable(if applicable)? N/A

EXCEPTION TO INSTRUCTIONS

Exception to instructions: N/A

LIMITED VISA

Limited Visa: N/A

Express Purpose: N/A

Limited Visa Conditions: N/A

Limited Visa Accepted: N/A

BOND

Bond: N/A

Bond Amount: N/A

Bond Offer: N/A

Bond Conditions: N/A

Bond Paid: N/A

DECISION

Approve as ETI

Visitor Visa instruction requirements not met, however an exception to instructions has been considered and approved: applicant and his family arrive in NZ on their yacht . He has purchased a vine yard . They wish to apply for a entrepreneur WV. s6(c) they arrived 3 months ago and now request a visa for 6 months . they do not fit into the business category VV as they could only stay in NZ for a 3 month period.

visa is issued to the s9(2)(a) of the OIA to lodge and process the WV

DO NOT DELETE THIS LINE #VATInterimTHPBSD4

PPI RESPONSE / FURTHER INFORMATION SECTION

N/A -- Section has not been used.

Administration Section (Optional)

APPLICANT ADVISED

Applicant advised of decision by Decision Letter

Documents to be returned by Post The applicant will be advised at a later stage by the support officer who returns the documents to the applicant..

malcolm pacific (auckland) ltd

P o Box 6219 wellesley street Auckland

Original documents returned:

Passport

Fee Receipt

purchase agreement, real estate information, tenancy agreement , bank information

Tracking number: s9(2)(a) of the OIA

DO NOT DELETE THIS LINE #VATInterimTHPBSD4

Version 1.4

Version Date: 15/01/2016

Date/Time Created: 14/Dec/2016 10:30 AM

Officer: Hill, Gay

Branch: Christchurch

Type: Exception to Policy

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Application s9(2)(a) of the OIA (Visa, Visitor, General) has an Exception to Policy condition.

Exception: Other (to apply for an entrepreneurWV)

Date/Time Created: 14/Dec/2016 10:35 AM

Officer: Hill, Gay

Branch: Christchurch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Visitor, General

Final letter printed - V29c, Visitors visa approval letter ONSHORE - 14/12/2016 10:35:14 a.m.

Date/Time Created: 14/Dec/2016 10:55 AM

Officer: Hill, Gay
Branch: Christchurch
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Visitor, General

Final Visa Assessment
VATInterimTHPBSD4

Application Number: [REDACTED]
Triaged Risk Level: Medium

APPLICATION INFORMATION

Application Type: General
Purpose of Travel: Holidaying/Sightseeing
Permitted length of stay requirements met with requested visa length: I confirm all applicants included in the application meet the 9 in 18 month rule. Instruction V2.5.1 met.

Partner included in application? Yes
Dependants included in application? Yes
Applicant is sponsored? No
Total Time In New Zealand (From Arrival To End Of Proposed Visa): Between 6 & 12 months

IDENTITY INFORMATION

Age: 18 & over
Satisfied ID confirmed? Yes - PPT Scan Valid
Identity comments: Applicant's identity has been confirmed; Passport scanned successfully

HEALTH ASSESSMENT (INSTRUCTION A4)

Significant health issues declared? No
Applicant Meets Health Requirements? ASH - Applicant is of an acceptable standard of health (A4.15)
Satisfied Applicant meets health instructions? Yes
Health comments: No issues with health or medicals / no serious concerns.
No warnings or other information to suggest any Health issues. I am satisfied applicant is of good health. A4 Health requirements met.

CHARACTER (INSTRUCTION A5)

NSC: Response received with no comment
Character issues declared? No
PC from NZ: Not required
PC(s) from Country of Citizenship: Not required. Total stay less than 2 years (A5.5)
PC(s) from Third Country or Country of Dual Citizenship: Not required. Total

stay less than 2 years (A5.5)

Satisfied character requirements met? Yes

Character comments: No character issues declared. I am satisfied that the applicant is of good character. Instructions A5.1 and A5.5 met.

PARTNER (INSTRUCTION E4.1.20 / E4.5.5 / E4.5.20)

Partner is included in this application? Yes

Genuine and Sustainable:

Evidence Provided: A marriage certificate for the parties

Birth certificates of any children of the parties

Evidence of living together: Satisfied PA and partner are living together, based on the evidence provided.

Joint tenancy agreement or rent book or rental receipts

Comments:

Health: ASH - Applicant is of an acceptable standard of health (A4 15)

Comments:

Satisfied character requirements met? Yes

Partner NZ PC: Not required

Foreign PC(s): Not required. Total stay less than 2 years (A5.5)

PC(s) from Third Country or Country of Dual Citizenship: Not required. Total stay less than 2 years (A5.5)

Comments:

Satisfied with the relationship of the PA and Partner? Yes

SECONDARY APPLICANTS

Secondary Applicant(s) included in this application? Yes

Evidence that all secondary applicant(s) is/are dependent on the PA:

Birth Certificate(s) showing the names of the parent(s)

Secondary Applicants meet the definition of a dependant (E4.1.10)? I have reviewed the evidence provided and am satisfied all dependants included in the application meet the definition of a dependant as specified in E4.1.10

Evidence of parents' consent provided for children under 16 years old. (E4.5.20 and E4.1.15)? N/A

Health: X-ray & meds not required as total stay less than 6 months (A4.25)

Satisfied with the relation of the PA and the dependant(s)? Yes

SPONSORSHIP (INSTRUCTION V2.2)

Sponsor Relationship: N/A - Not sponsored

Sponsorship evidence:

ASSESSMENT (INSTRUCTION V2)

Evidence of Funds Provided:

Credit or debit cards with sufficient credit available

I have reviewed the evidence provided with the application, and I am satisfied that the applicant(s) have access to sufficient funds for their intended length of stay. Instruction V2.20 met.

statement from **s9(2)(a) of the OIA**

Evidence of Outward Travel Provided:

Outward travel requirement met given the sufficient funds provided.

I have reviewed the evidence provided with the application, and I am satisfied that the applicant(s) meet outward travel requirements. Instruction V2.25 met.
as above

BONA FIDE (E5)

Satisfied applicant(s) is bona fide: Yes

The following evidence has been provided and reviewed :

Showing family ties to the applicant's country of citizenship or residence.

Confirming real estate ownership in the applicant's country of citizenship or residence.

Visas held previously by the applicant

Bank account(s) held by the applicant showing traceability of incoming funds

I am satisfied that the applicant(s) genuinely intend to temporarily stay in New Zealand for a lawful purpose, and do not believe the applicant(s) intent to remain in New Zealand unlawfully, breach the conditions of any visa granted, or will be unable to leave or be deported from New Zealand.

RISK (PROCESS)

Risk Identified: No - application information and evidence accepted at face value

Verification Activities : N/A

Satisfied risk acceptable(if applicable)? N/A

EXCEPTION TO INSTRUCTIONS

Exception to instructions: N/A

LIMITED VISA

Limited Visa: N/A

Express Purpose: N/A

Limited Visa Conditions: N/A

Limited Visa Accepted: N/A

BOND

Bond: N/A

Bond Amount: N/A

Bond Offer: N/A

Bond Conditions: N/A

Bond Paid: N/A

DECISION

Approve as ETI

Visitor Visa instruction requirements not met, however an exception to instructions has been considered and approved: applicant and his family arrive in NZ on their yacht . He has purchased a vine yard . They wish to apply for a entrepreneur WV. s6(c) they arrived 3 months ago and now request a visa for 6 months . they do not fit into the business category VV as they could only stay in NZ for a 3 month period.

visa is issued to the s9(2)(a) of the OIA to lodge and process the WV

DO NOT DELETE THIS LINE #VATInterimTHPBSD4

PPI RESPONSE / FURTHER INFORMATION SECTION

N/A -- Section has not been used.

Administration Section (Optional)

APPLICANT ADVISED

Applicant advised of decision by Decision Letter

Documents to be returned by Post The applicant will be advised at a later stage by the support officer who returns the documents to the applicant..

malcolm pacific (auckland) ltd

P o Box 6219 wellesley street Auckland

Original documents returned:

Passport

Fee Receipt

purchase agreement, real estate information, tenancy agreement , bank information

Tracking number: s9(2)(a) of the OIA

DO NOT DELETE THIS LINE #VATInterimTHPBSD4

Version 1.4

Version Date: 15/01/2016

Date/Time Created: 14/Dec/2016 11:37 AM

Officer: Hill, Gay

Branch: Christchurch
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Visitor, General

Risk rating = None | Risk Category = None
Value rating = None | Value Category = None
Have the risk/value ratings changed since the profile was last generated?: No | (CRiSM
Profile ID: ^{s9(2)(a) of the OIA} | Date/Time of profile: 14/12/2016 11:37:57 a.m. | Profile generated
at: Determination | Requesting Officer: Gay, Hill | Requesting Branch: Christchurch)

Date/Time Created: 13/Feb/2017 08:59 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Application created

Date/Time Created: 13/Feb/2017 08:59 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Health Notes
Client Id: ^{s9(2)(a) of the OIA}
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: Yes. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: Yes. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 13/Feb/2017 09:00 AM

Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 13/Feb/2017 09:00 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a)

Date/Time Created: 13/Feb/2017 09:00 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 13/Feb/2017 09:01 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 14/Feb/2017 08:39 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

s9(2)(a)

s9(2)(a)

Date/Time Created: 14/Feb/2017 03:54 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --

Customer Services Officer: Tau Aroha Taana, Date Recorded: 14/02/2017 3:54:02 p.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.
The required information was provided.

Call Type: Failure Demand

LIA s9(2)(a) calling from Malcolm Pacific
ADV

Application raised in system 13/02/2017

APN: s9(2)(a) of the OIA

Not yet accepted for lodgement

Date/Time Created: 14/Feb/2017 04:01 PM

Officer: De Leon, Josephine

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

No original Canadian PC

Sent an email to advisor

Futher Mandatory Documents required for Colin Rath AN: s9(2)(a) of the OIA Entrepreneur Work Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

'akld@malcolmpacific.com'

Dear **s9(2)(a) of the OIA**

We have received an Entrepreneur Work Visa application prepared by your office on behalf of Colin Rath. Unfortunately, there are some missing documents that are required. Please provide the following documents as these are mandatory lodgement requirement:

Original Canadian Police Certificate for Colin Rath

Note: We have received a copy of Canadian Police Certificate for Colin Rath. However, we are unable to accept this copy. Please provide the original Canadian Police Certificate for Colin Rath. Please note that we do not accept scanned copies to be send via email.

We are happy to hold onto this application for 2 working days. But if the documents have not been provided by then, we will be forced to return the application to you. We look forward to hearing from you.

Kind Regards

Josephine De Leon
Support Officer - Wellington Business Unit
Ministry of Business, Innovation and Employment
Level 3, Kordia House, 109-125 Willis Street| P.O Box 27149| Wellington, New Zealand
Email: Josephine.DeLeon@mbie.govt.nz | Telephone: +64 (4) 916 6066
Web: www.dol.govt.nz

Date/Time Created: 15/Feb/2017 09:58 AM

Officer: De Leon, Josephine

Branch: Wellington Business Unit

Type: Application Notes

Appln #: **s9(2)(a) of the OIA**

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Advisor's email

Further Mandatory Documents required for Colin Rath AN: **s9(2)(a) of the OIA** Entrepreneur Work Visa

s9(2)(a) of the OIA

Dear Josephine

RE: Further Mandatory Documents required for Colin Rath AN: [REDACTED] Entrepreneur Work Visa

Thank you for your email to my colleague [REDACTED] s9(2)(a) of the OIA s9(2)(a) of the OIA [REDACTED] Due to the nature of your email and deadline I am responding.

It should be noted that the Canadian police clearance process for someone offshore is now done digitally and therefore Mr Rath received a secure link and printed off a copy of his police clearance.

I have inserted below the process he followed.

In today's digital world this is not uncommon and I am aware that this meets Immigration requirements for other countries (i.e: I have recently had a residence application processed and approved with a copy of an FBI clearance).

It is crucial that this application is accepted for lodgement and is not returned and therefore I would request that you discuss the lodgement of this application with Katy Macleod.

Could you please confirm by return email once this application is lodged.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
PO Box 6219, Wellesley Street, Auckland 1141, New Zealand
Ph: s9(2)(a)
Email: s9(2)(a)
Website: www.malcolmpacific.com

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the company.

From: Colin Rath [mailto:xxxxx@xxxxxxxxxxxxxx.xx.xx]
Sent: Tuesday, 14 February 2017 5:48 p.m.
To: s9(2)(a) of the OIA
Subject: Canadian Fingerprint process

This is the order process: Then they email you a secure link and you can print it out. The password is part your birth year and social security number.

to me

I CANNOT STRESS THIS ENOUGH. THE FINGERPRINTS YOU PROVIDE MUST BE CLEAN AND CLEAR ENOUGH TO DIGITIZE. (There is an example in the package). IF YOU DO NOT PROVIDE SUITABLE FINGERPRINT IMAGES AND THEY CANNOT BE DIGITIZED, ADDITIONAL SETS OF FINGERPRINTS WILL HAVE TO BE PROVIDED, ADDING TO YOUR EXPENSE AND PROCESSING TIME.

Hello,

You are about to start the process of having your ink fingerprints digitalized and submitted to the RCMP, from outside of Canada. This will result in you obtaining an RCMP Canadian Criminal record check. We are here to help assist you along the way, making it a smooth transaction. The information below and the documents in the attachment are here to help you understand the process.

How to start:

You will start by reading through the forms attached. Please print them off. You will then contact your local police. They will assist you with obtaining your fingerprint or directing you to an agency or service that provides them.

(#1)

Please bring the forms below to the police station/agency or fingerprint service:
(Forms are in attachments)

-Form C216C

-Consent form

-Example of fingerprints (This document is to help the official that is taking your fingerprints with how the fingerprints should be laid out)

-Capturing legible fingerprints (This document is to help the official that is taking your fingerprints to guarantee they are high quality /legible fingerprints for our scanning.)

Fingerprinting Forms

C216c Requirements**Document #1- Complete the following (print clearly)**

You're signature & the signature of the official taking the fingerprints.

The date

Full legal name

Date of birth

Sex

Your telephone number

Your home address

Reason for the application (example: visa/immigration/pardon etc.)

The stamp or name and address of the department or agency that provided the fingerprints. (Stamp anywhere on the form)

10 rolled and 10 flat fingerprint impressions

"Level of clearance" field is NOT required.

Please Note: Other country fingerprint forms are acceptable as long as the format of fingerprinting is similar. If you complete the fingerprints and are unsure if the fingerprint quality is suitable you may email a scan of them to ottawa@morphocanada.ca They will be verified and you will receive confirmation back whether or not they should be redone. Please remember we will require all documents in their original form and no scanned documents can be used for processing. You may also send additional fingerprint forms so we can pick and choose from which are best.

Consent form Requirements**Document #2- Complete the following (print clearly)**

One fingerprint impression in the box (check off which finger used; in the space provided.)

Full name of applicant

Date of birth

Reason

Third party's full mailing address (or our Ottawa office address)

Below are examples of the forms you need to complete while at your local police station/agency or fingerprint service.

(#2)

Complete the Applicant Information form, Invoice form, Cover letter and Checklist.

NOTE: Add your email and "full current home address" on the applicant info form.

Our Office Forms**Applicant Information Requirements****Document # 3- Complete the following (print clearly)**

Full name of applicant
Full home address
Phone number
Email address
Date of birth
Sex
Reason for the request
Results destination- 3 choices (choose one)

Invoice Requirements

Document # 4 -Complete the following (print clearly)

Select a price based on the reason for your request.
Number of original copies
Credit card information (recommended) or include a certified cheque or Canadian money order in Canadian funds.
Indicate how results should be sent i.e. via Courier or regular mail
Full mailing address for the results after RCMP processing (This does not have to be your home address. - Lawyer /friend /family / immigration /etc.)

Document #6 - Typed Cover letter (follow instructions)

Please complete and double check the Checklist (page 14)

Below are examples of the forms you need to complete:

(#3)

Get two pieces of government issued identification certified. NOTE: One of the identification must have a photo. Lawyer, Notary Public or Commissioner of Oaths can assist you with having this done.

(#4)

Mail out Forms:

s9(2)(a)

s9(2)(a)

s9(2)(a)

- If you need this RCMP document Authenticated or Legalized by an Embassy, Consulate or Foreign Affairs after it's processed - Please contact

IDC evey@idocscanada.ca -613-701-0533

http://info.idocscanada.ca/our_services/

IDC will pick up your RCMP Criminal record check in our office usually within the same day

Please note: This is a True Certified copy of your Criminal record within Canada. RCMP has certified it with their official seal.

Our primary goal is to provide you with the best customer service.
We look forward to working with you.

s9(2)(a)

Manager Global ID Services - Ottawa

T. +1 613-237-9061

F. +1 613-237-5265

Morpho Canada Inc.
100 Argyle Avenue,
OTTAWA, ON

www.morpho.com/canada

Date/Time Created: 22/Feb/2017 10:30 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --

Customer Services Officer: Georgia Brunt, Date Recorded: 22/02/2017 10:30:28 a.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on

my clients application)

This contact relates to the Business Migration (BMB) branch.
The required information was provided.

Call Type: Failure Demand

Malcolm Pacific - LIA
Trusted s9(2)(a)

Adv- application has not yet been lodged
still with SO Josephine De Leon

TA and IM for Entrepreneur team

Date/Time Created: 22/Feb/2017 04:09 PM

Officer: De Leon, Josephine

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Advisor's email

FW: Further Mandatory Documents required for Colin Rath AN: s9(2)(a) of the OIA Entrepreneur
Work Visa

s9(2)(a) of the OIA

Hi Josephine

I hope that you are well.

I am following up the email sent to you by my colleague s9(2)(a) of the OIA on 15 February 2017.

I have spoken to the INZ call centre this morning and have been informed that this application is still yet to be accepted and lodged. I tried to call you this morning to understand by but there was no answer.

It has been 1 week since the message below, can you please take the necessary steps to accept this application so that it can processed?

I look forward to you response,

Regards

s9(2)(a)

LICENSED IMMIGRATION ADVISER

IAA Licence s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Email s9(2)(a)
Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA
Sent: 15 February 2017 9:41 a.m.
To: 'Josephine.DeLeon@mbie.govt.nz'
Cc:
Subject: Further Mandatory Documents required for Colin Rath AN: s9(2)(a) of the OIA
Entrepreneur Work Visa
Dear Josephine

RE: Further Mandatory Documents required for Colin Rath AN: s9(2)(a) of the OIA Entrepreneur Work Visa

Thank you for your email to my colleague s9(2)(a) of the OIA. He is currently on leave and returns to the office on Monday. Due to the nature of your email and deadline I am responding.

It should be noted that the Canadian police clearance process for someone offshore is now done digitally and therefore Mr Rath received a secure link and printed off a copy of his police clearance.

I have inserted below the process he followed.

In today's digital world this is not uncommon and I am aware that this meets Immigration requirements for other countries (i.e: I have recently had a residence application processed and approved with a copy of an FBI clearance).

It is crucial that this application is accepted for lodgement and is not returned and therefore I would request that you discuss the lodgement of this application with Katy Macleod.

Could you please confirm by return email once this application is lodged.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
PO Box 6219, Wellesley Street, Auckland 1141, New Zealand
Ph: s9(2)(a)
Email: s9(2)(a)
Website: www.malcolmpacific.com

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Duplicate

Duplicate

Released under the Official Information Act 1982

Duplicate

Duplicate

Date/Time Created: 23/Feb/2017 09:20 AM

Officer: Maitland, Jonathan

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

I have waived by special direction the requirement for an original passport when applying for a visa (regulation 34(1)(a) of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010).

Candian PC's have also been applied for but yet to be recived, will allow for Lodgement only

Date/Time Created: 23/Feb/2017 09:27 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: Yes. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: Yes. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 23/Feb/2017 09:34 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

File to triage

Date/Time Created: 23/Feb/2017 09:34 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Risk rating = None | Risk Category = None
Value rating = None | Value Category = None
Have the risk/value ratings changed since the profile was last generated?: Yes | (CRisM Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 23/02/2017 9:34:21 a.m. | Profile generated at: Manual | Requesting Officer: De LeonJosephine | Requesting Branch: Wellington Business Unit)

Date/Time Created: 23/Feb/2017 09:34 AM
Officer: De Leon, Josephine
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Risk rating = None | Risk Category = None
Value rating = None | Value Category = None
Have the risk/value ratings changed since the profile was last generated?: No | (CRisM
Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 23/02/2017 9:34:24 a.m. | Profile generated
at: Manual | Requesting Officer: De LeonJosephine | Requesting Branch: Wellington
Business Unit)

Date/Time Created: 23/Feb/2017 03:33 PM
Officer: Queue, Lodgement
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Risk rating = None | Risk Category = None
Value rating = None | Value Category = None
Have the risk/value ratings changed since the profile was last generated?: No | (CRisM
Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 23/02/2017 3:33:08 p.m. | Profile generated
at: Determination | Requesting Officer: Queue Wgtn Bus Unit, Lodgement | Requesting
Branch: Wellington Business Unit)

Date/Time Created: 24/Feb/2017 09:47 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --

Customer Services Officer: Jayme Nuku, Date Recorded: 24/02/2017 9:47:38 a.m.

Client contacted ICC about (LIA/Lawyer queries , Have you received my client's application?)

This contact relates to the Wellington branch.

The required information was provided.

Call Type: Failure Demand

confirmed clients details
confirmed LIA Malcolm Pacific - LIA

Adv

- fee has been paid on the 23/02/2017
- appln accepted on the 09/02/2017

Date/Time Created: 27/Feb/2017 12:12 PM

Officer: Mercado, Dizette

Branch: Wellington Business Unit

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Address updated 27/2/2017 s9(2)(a) Malcolm Pacific Limited, POBOX
6219, Wellesley Street, Auckland, , NZ, 1141, s9(2)(a)
akld@malcolmpacific.com, Allow Online Viewing=Yes

Date/Time Created: 27/Feb/2017 12:34 PM

Officer: Mercado, Dizette

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 27/Feb/2017 12:35 PM
Officer: Mercado, Dizette
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

GMC + CXR need to be assessed for a visa application
Case officer: Please notify HAT once application is accepted

EMAIL: HAT@mbie.govt.nz <mailto:HAT@mbie.govt.nz>

Quote NZHR reference: s9(2)(a) of the OIA

Please advise Type of Referral (Residence, Temporary or Limited) based on Client's or PA's visa type.

Please advise "Length of Stay" for Temporary Referral.

s9(2)(a) of the OIA

Date/Time Created: 27/Feb/2017 12:43 PM
Officer: Mercado, Dizette
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Final letter printed - V7, Standard application acknowledgement letter application has been accepted and will be considered - 27/02/2017 12:43:12 p.m.

Date/Time Created: 27/Feb/2017 12:43 PM
Officer: Mercado, Dizette
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

FILE TO MQ

requested original canadian pc for pa
NZPCs Sent - NSC not required
Medicals on AMS - Valid
Acknowledgement letter + receipt sent via post

Date/Time Created: 27/Feb/2017 12:43 PM

Officer: Mercado, Dizette

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Risk rating = None | Risk Category = None

Value rating = None | Value Category = None

Have the risk/value ratings changed since the profile was last generated?: No | (CRisM

Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 27/02/2017 12:43:52 p.m. | Profile generated

at: Manual | Requesting Officer: MercadoDizette | Requesting Branch: Wellington Business Unit)

Date/Time Created: 03/Mar/2017 09:43 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --

Customer Services Officer: Jayme Nuku, Date Recorded: 3/03/2017 9:43:19 a.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , Have you received my client's application?)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

confirmed clients details
confirmed LIA Malcolm Pacific - LIA

Adv.

- WV entrepreneur has been received on the 09/02/2017 and in the queue for a CO

- From: ICC - No Reply

Sent: Friday, 3 March 2017 9:42 a.m.

To: s9(2)(a) of the OIA

Subject: Immigration Letter [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

Please find attached Acknowledgement letter.

Kind regards
Jayme

Date/Time Created: 17/Mar/2017 10:20 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

-- Contact Centre Notes Record --
Customer Services Officer: Simar Insaat, Date Recorded: 17/03/2017 10:20:52 a.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

The required information was provided.

Call Type: Failure Demand
s9(2)(a) Malcolm Pacific
adv - no co allocated
- ta and im name given

Date/Time Created: 28/Mar/2017 10:55 AM
Officer: IGMS, Case Manager
Branch: IGMS
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

*****28 Mar 2017 11:51:07:930 IGMS, Case Manager, IGMS*****
Documents have been uploaded to DMS in the following location:
s9(2)(a) of the OIA

Date/Time Created: 28/Mar/2017 11:26 AM
Officer: IGMS, Case Manager
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Specific Purpose or event

Bulk Data Capture Application Created by IGMS, Case Manager

Date/Time Created: 28/Mar/2017 11:26 AM
Officer: IGMS, Case Manager
Branch: Northern Region Documentation Branch
Type: Fee Waiver
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Specific Purpose or event

The Application the Client is applying for is eligible for a Fee Waiver and the Client is exempt from paying the levy.

Date/Time Created: 28/Mar/2017 11:26 AM
Officer: IGMS, Case Manager
Branch: Northern Region Documentation Branch
Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

IGMS Fee Waived.

Date/Time Created: 28/Mar/2017 11:57 AM

Officer: IGMS, Case Manager

Branch: Northern Region Documentation Branch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

Risk rating = None | Risk Category = None

Value rating = None | Value Category = None

Have the risk/value ratings changed since the profile was last generated?: Yes | (CRisM

Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 28/03/2017 11:57:41 a.m. | Profile generated

at: Determination | Requesting Officer: Case Manager IGMS | Requesting Branch:

Northern Region Documentation Branch)

Date/Time Created: 28/Mar/2017 12:29 PM

Officer: IGMS, Case Manager

Branch: IGMS

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

*****28 Mar 2017 13:15:13:650 IGMS, Case Manager, IGMS*****

This identity has been updated from s9(2)(a) of the OIA as a result of identity resolution.

Date/Time Created: 29/Mar/2017 12:22 PM

Officer: Muhandiram, Indika

Branch: Northern Region Documentation Branch

Type: Lodgement Waiver

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

Requirements for: Maintenance funds or other support; Onward Travel were waived.

.

Date/Time Created: 29/Mar/2017 12:22 PM
Officer: Muhandiram, Indika
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

Duration of intended Stay: Less than or equal to 6 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 29/Mar/2017 12:39 PM
Officer: IGMS, HENDERSON
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Specific Purpose or event

Risk rating = None | Risk Category = None
Value rating = None | Value Category = None
Have the risk/value ratings changed since the profile was last generated?: No | (CRisM
Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 29/03/2017 12:38:46 p.m. | Profile generated at: Determination | Requesting Officer: HENDERSON, IGMS | Requesting Branch: Northern Region Documentation Branch)

Date/Time Created: 30/Mar/2017 08:48 AM
Officer: Chidambaram, Vallikann
Branch: Northern Region Documentation Branch

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

Triage result : Low

Date/Time Created: 30/Mar/2017 11:08 AM

Officer: Reyes, Rodolfo

Branch: Henderson

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

Application allocated to Rudy

Date/Time Created: 30/Mar/2017 12:50 PM

Officer: Reyes, Rodolfo

Branch: Henderson

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

Specific Purpose WS2 Work Visa File Summary: s9(2)(a) of the OIA Low Risk

Client's identity: passport scanned authentic

Employer: self-employed.

Client has lodged a WTR - Entrepreneurship Work Visa. This will take 12-15 weeks to process which will be around end of May 2017. LIA included an email from Ruyang Shao, IM for Business Migration that she is allowing a 6 month work visa to allow him to manage his recently purchased vineyard in North Canterbury. Without a work visa, client would not be allowed to work on his vineyard.

Exception to instruction is warranted. Client's circumstances will not fall under any of the WD2 conditions.

Medical requirements met: s9(2)(a) of the OIA

Character requirements met: not required on this application as client will only be granted 6 month work visa. However given that the client declared s9(2)(a) of the OIA [REDACTED] client may not be meeting character requirements.

Client provided an explanation regarding his FBI PCC. Client wrote:

To purpose of this letter to is provide an explanation for the criminal history listed on my FBI Police Certificate.

s9(2)(a) of the OIA

Released under the Official Information Act 1982

It would appear that the client did not declare these on the WTR however was declared on this application.

I am satisfied that there is no character issue as the client was not imprisoned. Character waiver is not required in this case.

RISK:

This application was triaged as a low risk application

List/identify other risks (Immigration history & bona fides checked) and mitigation: No other risks identified

Alerts / Information warning noted: No relevant active/expired warning or alert. No further action is required.

Concerns: none

Rationale: Applicant meets all requirements under current instructions.

Decision: Approve and Issue WV

Duration of visa: 9 month work visa granted valid till 30/09/2017

Variation to Travel Conditions granted: yes

Approved as an exception (E7.10) - Reason: not applicable

Date/Time Created: 30/Mar/2017 12:51 PM

Officer: Reyes, Rodolfo

Branch: Henderson

Type: Determination Waiver

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Specific Purpose or event

Waived determination questions :

ETI

Date/Time Created: 30/Mar/2017 12:51 PM

Officer: Reyes, Rodolfo

Branch: Henderson
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Specific Purpose or event

Selected Special Purpose was: Direct investment visas for BIC residence applicants

Date/Time Created: 30/Mar/2017 12:51 PM
Officer: Reyes, Rodolfo
Branch: Henderson
Type: Exception to Policy
Client Id: [REDACTED]
Client Name: RATH, COLIN

Application [REDACTED] (Visa, Work, Specific Purpose or event) has an Exception to Policy condition.
Exception: Other (see notes)

Date/Time Created: 30/Mar/2017 12:56 PM
Officer: Reyes, Rodolfo
Branch: Henderson
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Specific Purpose or event

LIA/Client notified of uploaded document through "Save to DMS" function on TLS

Date/Time Created: 30/Mar/2017 01:24 PM
Officer: Reyes, Rodolfo
Branch: Henderson
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Specific Purpose or event

Risk rating = None | Risk Category = None

Value rating = None | Value Category = None

Have the risk/value ratings changed since the profile was last generated?: No | (CRisM
Profile ID: [REDACTED] | Date/Time of profile: 30/03/2017 1:23:37 p.m. | Profile generated
at: Determination | Requesting Officer: Rodolfo, Reyes | Requesting Branch: Henderson)

Date/Time Created: 04/Apr/2017 10:10 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: [REDACTED]
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Samantha McIntosh, Date Recorded: 4/04/2017 10:10:33 a.m.

Client's Licensed Advisor [REDACTED], Malcolm pacific, contacted ICC about
(LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

employee [REDACTED]

LIA wanting info on clts [REDACTED] files, no clt info was given

info accepted

Date/Time Created: 28/Apr/2017 04:02 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: [REDACTED]
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Tamzen Dunn, Date Recorded: 28/04/2017 4:02:33 p.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

s9(2)(a) from Malcolm Pacific called on TL - status update.

Confirmed name, AN, DOB.

ADV:

- > Managed queue
- > NZPC requested
- > Query whether portal PCC for Canada acceptable.

Date/Time Created: 08/May/2017 01:04 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Tanya Shymko, Date Recorded: 8/05/2017 1:04:57 p.m.

Client's Licensed Advisor's employee s9(2)(a) (Malcolm Pacific) contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

Call received on trusted line.

Caller adv. that they are acting on behalf of LIA s9(2)(a) of the OIA

Adv. caller:

*applic. is still in the queue

* applic is at WLG business unit

Date/Time Created: 15/May/2017 12:33 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Samantha McIntosh, Date Recorded: 15/05/2017 12:33:03 p.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer s9(2)(a) of the OIA
Trusted line, queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

Adv

-appln still in managed queued

-no update since 27/02 when Canadian PCC was requested - LIA responded to branch regarding this as PCC was issued electronically

info accepted

Date/Time Created: 25/May/2017 07:15 PM
Officer: Customs User ID, Customs User ID

Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Steven Webber, Date Recorded: 25/05/2017 7:15:44 p.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

s9(2)(a) from Malcolm Pacific called via the GI LA line (Trusted)

Adv LIA:

- that he mgement team have not yet allocated this appln to an IO

Date/Time Created: 29/May/2017 11:48 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: John Bautista, Date Recorded: 29/05/2017 11:48:31 a.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

The required information was provided.

Call Type: Failure Demand

- Spoke to s9(2)(a) from Malcolm Pacific (LIA trusted)
- Adv app not yet allocated to an IO

Date/Time Created: 30/May/2017 08:58 AM
Officer: Shao, Ruyang
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Application allocated to Sarah Parker to process.

Date/Time Created: 30/May/2017 08:59 AM
Officer: Shao, Ruyang
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

From: Ruyang Shao
Sent: Tuesday, 30 May 2017 8:58 a.m.
To: s9(2)(a) of the OIA
Cc: Sarah Parker
Subject: RE: EWW - Colin Rath A/No s9(2)(a) of the OIA [UNCLASSIFIED]

Hi s9(2)(a) of the OIA

Thank you for your email.

I did allocate that case to my colleague Sarah Parker to process, but I forgot to put it under her name s9(2)(a) I have copied her in this email too.

Cheers s9(2)(a) of the OIA

Ruyang

From: s9(2)(a) of the OIA
Sent: Monday, 29 May 2017 11:51 a.m.
To: Ruyang Shao
Subject: RE: EWW - Colin Rath A/No s9(2)(a) of the OIA [UNCLASSIFIED]

Hi Ruyang

I hope that you had a nice weekend.

I am sorry to keep bothering you about this application however after calling the ICC today I understand the application is still held in the queue waiting to be allocated.

In our email communication below you mentioned that this would be pulled from the queue and allocated; are you able to have allocated this week?

Thank you for your help Ruyang,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

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From: Ruyang Shao [mailto:Ruyang.Shao@mbie.govt.nz]
Sent: Wednesday, 17 May 2017 12:40 p.m.
To: s9(2)(a) of the OIA
Subject: RE: EWV - Colin Rath A/No s9(2)(a) of the OIA [UNCLASSIFIED]

Hi s9(2)(a) of the OIA

Thank you for your email.

I will allocate this one for you this week.

Regards
Ruyang

From: s9(2)(a) of the OIA
Sent: Monday, 15 May 2017 12:51 p.m.
To: Ruyang Shao
Subject: RE: EWV - Colin Rath A/No s9(2)(a) of the OIA [UNCLASSIFIED]

Hi Ruyang

I hope that you had a nice weekend.

You may remember our email communication from March in regards to the above applicant, Colin Rath.

I have spoken to ICC today and been informed this application is still held in the managed queue (lodged 9 February 2017, 14 weeks ago).

Colin has contacted me to check the progress and reminded me of a pending deadline he is trying to manage. As you will be aware, the applicant has purchased a Vineyard business in north Canterbury for NZ\$1,200,000; this is subject to Immigration and Overseas Investment Office (OIO) approval. s9(2)(a)

There is an agreement between s9(2)(a) of the OIA the sale price will be settled on or before 20 June 2017. For this sale to occur the Immigration and Overseas Investment Office (OIO) applications need to be approved.

The OIO process cannot start until after the EWV is approved.

The issue we face is that the EWV is stuck in the queue.

I appreciate BMB are significantly under staffed at the moment however is there some why this application can be allocated for processing in the coming days/weeks?

If you can consider the above and let me know it would be appreciated

Thanks and hear from you again soon,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

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From: Ruyang Shao [mailto:Ruyang.Shao@mbie.govt.nz]
Sent: Wednesday, 22 March 2017 10:57 a.m.
To: s9(2)(a) of the OIA
Subject: RE: EWV - Colin Rath A/No s9(2)(a) of the OIA [UNCLASSIFIED]

Hi s9(2)(a)

Further to our conversation, this is to confirm that I am happy to grant your client a 6 months specific purpose work visa given his unique circumstances. Please feel free to contact me if you need anything further from me.

Kind regards

Ruyang

Ruyang Shao
IMMIGRATION MANAGER
Entrepreneur Work and Residence Team
Business Migration Branch| Immigration New Zealand
Ministry of Business, Innovation & Employment
ruyang.shao@mbie.govt.nz | Telephone: +64 (0)4 896 5562 | Level 12, State Insurance
Building, 1 Willis Street, Wellington 6011|PO Box 27149, Wellington, New Zealand

Feedback

Were you satisfied with the overall quality of our service? Did we do what we said we would do? Please email any feedback you may have to BusinessMigrantFeedback@mbie.govt.nz

From: s9(2)(a) of the OIA
Sent: Friday, 17 March 2017 11:17 a.m.
To: Ruyang Shao; Katy MacLeod
Subject: EWV - Colin Rath A/No s9(2)(a) of the OIA

Hello Ruyang and Katy

I hope that your week is going well and the office move when smoothly.

I am writing to you in regards to the above applicant, Colin Rath, and his Entrepreneur Work Visa application pending at BMB.

This EWV application was accepted for processing on 9 February 2017 and the INZ acknowledgement letter states allocation is expected within 12-15 weeks. Based on this timeframe we can expect allocation between 4th and 25th May 2017.

To give you a very brief overview of this application - the applicant is American and has purchased an existing Vineyard business in north Canterbury. The purchase price is NZ\$1,200,000 and is subject to Immigration and Overseas Investment Office (OIO) approval. As part of the purchase agreement the applicant is leasing the property from the vendor.

The applicant has proposed to benefit New Zealand through the creation of employment and significant increase in the annual turnover of the business - the business is very run down and the applicant has engaged advice from various consultants who have confirmed with some work the finances of the business can be significantly increased. Also, for your information, since the purchase of this property the applicant has already created full time employment for two New Zealand Citizens.

Evidence of the above is held on the file at BMB.

The difficulty which the applicant currently faces is that at this point he only holds a Visitor Visa so is very limited in his involvement of the business.

In a situation, would you agreed to consider the issuing of a 6 months visas under Specific purpose or event instructions "WS 2(k) People who need to come to New Zealand for any other specific purpose or event where they meet the objective of these instructions (WS1) and the circumstances justify the grant of a work visa"? This request has been allowed for other applicant's we have assisted in the passed.

The granting of this 6 month Visa will allow the applicant to be actively involved in the business and provide INZ sufficient time to process the Entrepreneur Work Visa Application. This would not pre-determine the EWV application as this will simply allow the applicant to work on the property which he has leased, the S&P agreement is subject to the EWV and OIO approval.

If you are not prepared to consider a 6 month Specific Purpose Work Visa to allow the applicant to be self-employed is it possible to consider prioritising the allocating this application? This is not only in the best interest of the applicant but also his NZ employees.

If you wish to discuss this email further please call me on the number below.

Thanks and I look forward to hearing from you soon,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)

Website: www.malcolmpacific.com

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www.govt.nz - your guide to finding and using New Zealand government services

Date/Time Created: 08/Jun/2017 11:53 AM

Officer: Parker, Sarah

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Risk rating = None | Risk Category = None

Value rating = None | Value Category = None

Have the risk/value ratings changed since the profile was last generated?: No | (CRisM

Profile ID: [REDACTED] | Date/Time of profile: 8/06/2017 11:53:44 a.m. | Profile generated at: Manual | Requesting Officer: ParkerSarah | Requesting Branch: Wellington Business Unit)

Date/Time Created: 15/Jun/2017 03:27 PM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: [REDACTED]

Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Charlie Brown, Date Recorded: 15/06/2017 3:27:48 p.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , Can I have the contact details for XX)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

Transfer call through to IO, Sarah Parker .

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

s9(2)(a) of the OIA from LIA, visa process ongoing.

Transfer call through to IO, Sarah Parker .

Date/Time Created: 22/Jun/2017 12:43 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --
Customer Services Officer: Tamzen Dunn, Date Recorded: 22/06/2017 12:43:07 p.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , I need update on my clients application)

This contact relates to the Wellington Business branch.

The required information was provided.

Call Type: Failure Demand

s9(2)(a) from Malcolm Pacific called on TL - status update.

Confirmed name, CN, DOB.

ADV:
> Last notes on file 8/6/17
> LIA to contact IO.

Date/Time Created: 26/Jun/2017 02:04 PM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: English Language Waiver
Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Application Number: s9(2)(a) of the OIA
ESOL requirement met on 26/06/2017
ClientId: s9(2)(a) of the OIA
Name: RATH, COLIN DAVID
Office: Wellington Business Unit
Reason:
PA is a USA citizen and holds a USA Bachelor's qualification.

Date/Time Created: 26/Jun/2017 02:05 PM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Info request:

From: s9(2)(a) of the OIA
Sent: Tuesday, 20 June 2017 9:18 a.m.
To: Sarah Parker
Subject: RE: EWV - Colin Rath A/No s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Sarah

Answers to your questions are below:

s6(c)

Can you please advise how the B&B and café will be financed and where this can be found in the financial statements (is it the s9(2)(a) of the OIA capital expenditure on Buildings on page 2 of the financials?)

The applicant's Business Advisor, s9(2)(a) of the OIA confirms "The capital costs of the B&B and Café are finance by the bank loan drawdowns of s9(2)(a) of the OIA and s9(2)(a) of the OIA. These show in the term loan schedule on page 6 of 24 in the document

"Waipara Winds 2017-2019 forecast DRAFT.pdf".

Can you please advise how many hours per week the wage forecasts are based on for the General Foreman and Vineyard? Are these the wages incorporated under 'Canopy/pruning/harvesting wages' in the revenue statement?

Forecasts are based on Foreman and Vineyard workers working 40 hours per week. The wages are accounted for in the forecasts as "Canopy/pruning/harvesting wages"

I note that the financial forecasts cover page also states that wages of [REDACTED] have been included for the applicant s9(2)(a) [REDACTED]. Can you please confirm whether or not this is [REDACTED] each, or combined, and where this is evidenced in the forecasts

[REDACTED] for both Colin [REDACTED]; confirmed in the financial forecasts cover letter provided by s9(2)(a) of the OIA [REDACTED] (attached again for your reference).

The applicant's Business Advisor s9(2)(a) of the OIA [REDACTED] confirms Where s9(2)(a) [REDACTED] salaries for Colin s9(2)(a) of the OIA [REDACTED] shown in the financial projections? The business needs various staff to run. Included in the financial projections are wages for the B&B/Café (page 11 of 24) and the vineyard (page 4 of 24, page 12 of 24 etc). We have assumed that both Colin s9(2)(a) of the OIA [REDACTED] will be working within the business under these codes in the financial projections and paying s9(2)(a) [REDACTED] a wage from the business. Either way the business needs to employ people so the business to do these tasks, so the business is simply employing Colin s9(2)(a) of the OIA [REDACTED]. The salary is s9(2)(a) [REDACTED]

Regards

s9(2)(a) of the OIA [REDACTED]

Team Manager

Date/Time Created: 26/Jun/2017 02:13 PM

Officer: Parker, Sarah

Branch: Wellington Business Unit

Type: Character Notes

Appln #: s9(2)(a) of the OIA [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

A Character Certificate was issued on 29/Dec/2016 . The certificate originated from Canada. This was entered for Client s9(2)(a) of the OIA [REDACTED] RATH, COLIN DAVID

Date/Time Created: 26/Jun/2017 02:13 PM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: Character Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

A Character Certificate was issued on 27/Dec/2016 . The certificate originated from United States of America. This was entered for Client [REDACTED] RATH, COLIN DAVID

Date/Time Created: 26/Jun/2017 02:18 PM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: Determination Waiver
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Waived determination questions :

qual waived - not required

Date/Time Created: 26/Jun/2017 02:18 PM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Entered number of years of self employment was: 10 years +
Entered new full time employment was: 2
Entered amount for the capital was: \$500,000 +
Selected age was: 50 - 59
Selected business status was: Established Business
Selected amount of funds was: \$140,000 - \$149,999
Region of employment is Canterbury
Selected Type of Business was: Other (Specify):(Vineyard/B&B/cafe)

Date/Time Created: 26/Jun/2017 02:18 PM

Officer: Parker, Sarah

Branch: Wellington Business Unit

Type: Main Occupation

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Selected Main occupation is: Chief Executive or Managing Director

Skill Level is: 1

Date/Time Created: 26/Jun/2017 02:18 PM

Officer: Parker, Sarah

Branch: Wellington Business Unit

Type: Exception to Policy

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Application s9(2)(a) of the OIA (Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)) has an Exception to Policy condition.

Exception: Other (Granting visa as an exception to instruction BB3.15(e) (objective), as approved by IM)

Date/Time Created: 26/Jun/2017 04:37 PM

Officer: Parker, Sarah

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Risk rating = None | Risk Category = None

Value rating = None | Value Category = None

Have the risk/value ratings changed since the profile was last generated?: No | (CRisM

Profile ID: s9(2)(a) of the OIA | Date/Time of profile: 26/06/2017 4:36:55 p.m. | Profile generated

at: Determination | Requesting Officer: Sarah, Parker | Requesting Branch: Wellington

Business Unit)

Date/Time Created: 27/Jun/2017 05:17 PM
Officer: Honeywill, Joshua
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Second person check complete.

Date/Time Created: 28/Jun/2017 09:04 AM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Assessment template:
Entrepreneur Work Visa
Start Up

Application Number: s9(2)(a) of the OIA
PA Name: Colin RathDOB: s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date Accepted: 09/02/2017
s9(2)(a) of the OIA

Documents provided

Birth certificates Yes
Passports Yes
Medical certificates Yes

Police clearances Yes

NSC Check N/A

IELTS Certificate Other - US Citizen and US Bachelor qual

Additional activities

Information request Yes

PPI No

Verification request No

Interview No

Character

The following documents have been provided:

PA: Canada 29/12/2016 = clear

USA 27/12/2016 - s9(2)(a) of the OIA . PA has provided credible explanation and evidence to support the fact that these are charges only, and not convictions. Satisfied PA meets character requirements and does not fall under A5.25.

s9(2)(a) of the OIA

s9(2)(a)

s9(2)(a)

PA has declared the above charges.

NSC = n/a

A CRISM check done on 08/06/2017 does not raise any triggers or warnings.

Alerts - none

I am satisfied the applicants meet character as per A5.1 and BB2.1 instructions.

Health

Medicals sighted as follows:

s9(2)(a) of the OIA

Above results checked on the IHS portal, case summaries added to file.

I am satisfied that the applicants meet health requirements as per section A4 of the immigration instructions.

Identity

R2.40 and E4.50.1

Applicants have supplied certified copies of their passports. Passports of DAs' and PA have been previously scanned authentic (as per AMS notes). SA's passport has been MRZ checked.

AND

Applicants' have provided full birth certificates which state their name, date of birth and place of birth

I am satisfied with the applicants' identities.

Partnership E4.5

E4.5.20 Evidential requirements for partners

a.If a partner is included in an application, or is applying in their own right as the partner of a temporary entry class visa holder, a New Zealand citizen, or residence class visa holder, the following must be provided:

i.evidence of their relationship, and

ii.evidence that demonstrates they are living together with that partner in a genuine and stable relationship (E4.5.35 sets out the types of evidence that are required).

Evidence includes:

- MC dated s9(2)(a) of the OIA
- 3 x children together
- NZ tenancy agreement, commenced s9(2)(a) of the OIA
- Documents addressed to s9(2)(a) of the OIA
- Documents addressed to s9(2)(a) of the OIA

I am satisfied that PA and partner are currently living together in a genuine and stable relationship.

Dependents/Custody E4.1.1 & E4.1.10

Children are all under 18, single and substantially reliant on the PA s9(2)(b) for financial support

Comment:

- Birth certificate of child shows the couple as the biological parents.
- Both parents are included in the application

I am satisfied the children included in the application can be considered dependants and there are no concerns in relation to custody as both parents are included in the application.

English Language

PA is a US Citizen and has provided evidence that he completed a Bachelor's qualification in the US.

I am satisfied PA meets English as per BB3 and BF instructions.

Business Summary

Description of proposed type of business: Vineyard that contracts grapes to local wine makers, a 2 unit bed and breakfast, and a fully licensed café and bar.

New or Existing: Existing

Trading as: Waipara Winds Ltd

Location: Waipara, North Canterbury

Proposed # of FTEs: 2

PA's proposed shareholding: 50% PA and 50% s9(2)(a)

Unique product or service: No

Total Investment: \$500,000

Proposed Capital Investment

Applicant has advised the business will require \$500,000 capital investment.

Investment Value (NZD)

Vineyard \$500,000

TOTAL \$500,000

BB3.5.10 Recognition of capital investment

Capital investment includes all nominated funds used in the establishment and operation of the approved business, except those used for:

- a. passive or speculative investment(s), such as reserve funds or term deposits; or
- b. the purchase of items for the personal use of the applicant(s), such as personal residences, cars or boats; or
- c. remuneration paid to the applicant(s) or their immediate family; or
- d. investment in residential property, except where the development of residential property meets the requirements of BB6.1.50 and formed part of an applicant's business plan.

Comment:

I am satisfied the proposed capital investment can be recognised.

BB3.5 Requirement for capital investment

b. The principal applicant must:

- i. nominate funds and/or assets equivalent in value to the total capital investment identified in the business plan; and
- ii. demonstrate ownership of these funds and/or assets (see BB3.5.5); and
- iii. demonstrate that the nominated funds and/or assets have been earned or acquired legally (see BB6.1.5).

Nominated Funds (Section K1-K4)

Nominated Funds Value in NZD

s6(c)

I am satisfied the applicant has nominated funds/assets equivalent in value to the total capital investment identified in the business plan

BB3.5.5 Ownership of nominated funds and/or assets

a. The nominated funds and/or assets may be owned either:

- i. solely by the principal applicant; or
- ii. jointly by the principal applicant and partner, provided a business immigration specialist is satisfied that the principal applicant and partner have been living together for 12 months or more in a partnership that is genuine and stable (see R2.1.15 and R2.1.15.1(b) and R2.1.15.5(a)(i)), and that the partner supports the use of these funds for the proposed business. If so, the principal applicant may claim the full value of such jointly owned funds or assets for assessment purposes.

b. If nominated funds and/or assets are held jointly by the principal applicant and a person other than their partner, the principal applicant may only claim the value of that portion of funds and/or assets for which they provide evidence of ownership.

c. The principal applicant may only nominate funds and/or assets that they earned or acquired legally, including funds and/or assets which have been gifted to them unconditionally and in accordance with local law. 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:

- i. were earned lawfully by the person/s gifting the funds and/or assets; and
- ii. are based outside of New Zealand.

d. The nominated funds and/or assets must be unencumbered (see BB6.1.10).

e. The nominated funds and/or assets must not be borrowed, but may be gifted as per BB3.5.5(c).

Supporting documents provided

The following documents have been provided as evidence of ownership of capital investment:



I am satisfied the applicant has demonstrated ownership of these funds and/or assets

Funds earned legally (BB3.5.b.iii, BB3.5.5c)

Claims:

Funds earned s6(c)

Supporting documents provided:

States that the s6(c)

Evidence of the PA's tax returns from 2009-2011 s9(2)(a) or the OIA tax returns from 2009-2011 show that sufficient funds were earned s6(c)

Comment:

I am satisfied the applicant has demonstrated that the nominated funds and/or assets have been earned or acquired legally

Points Awarded

Investment (NZD)PointsClaimed Awarded

1,000 00080

750 00060

500,000505050

400,00030

300,00020

200,00010

< 200,000 0

I am satisfied the applicant can be awarded the 50 points claimed for \$500,000 capital investment.

Settlement funds BB3.1(g)(ii)

The application form details that the applicant has s9(2)(a) of the OIA per month available for maintenance and support.

Evidence provided:

- s9(2)(a) of the OIA Operating Agreement, showing PA s9(2)(a) as 50% shareholders each.
- Lease, dated s9(2)(a) of the OIA and tenant to lease New York apartment s9(2)(a) of the OIA per month
- Contract showing PA s9(2)(a) transferring the property into the company's name on s9(2)(a) of the OIA

I am satisfied that the applicant has sufficient funds to provide maintenance and accommodation for the period of the Entrepreneur Work Visa for themselves and any partner or dependent children who will accompany them to New Zealand.

Business experience

BB6.1.15 Definition of self-employment

- a. Self-employment is lawful full time active involvement in the management and operating of a business which the principal applicant has established or purchased, or in which the principal applicant has made a substantial investment.
- b. Substantial investment is defined as the purchase of 25% or more of the shareholding of a business.
- c. For the avoidance of doubt, self-employment does not include involvement of a passive or speculative nature.
- d. Applicants for an Entrepreneur Work Visa (see BB) may claim points for experience of self-employment in the points scale at BB3.10(d) for businesses outside of New Zealand, and/or for self-employment in New Zealand while on a visa that permitted self-employment.
- e. Applicants for an Entrepreneur Residence Visa (see BH) must have been self-employed in New Zealand in order to be granted residence under this category.

BB6.1.20 Definition of senior management

- a. Senior management experience means extensive experience at a senior level within a lawful business enterprise, in planning, organisation, control, change-management and direction-setting, where the business enterprise had at least five full-time employees or an annual turn-over of NZ\$1 million.
- b. To demonstrate senior management experience, an applicant will need to be able to show they held the day-to-day responsibilities of managing a business or company or

corporation, or function within a large company (with, at that time, 5 or more full time employees, or a turnover in excess of \$1,000,000 per annum), with specific executive powers conferred onto them with and by authority of the board of directors and/or the shareholders.

Relevant self-employment Points Claimed Awarded

10 years 40

5 years 30

3 years 20

Other Self-employment

10 years 20

5 years 15

3 years 5

Relevant Senior Management Experience

10 years 10

5 years 5

Business experience declared in application (Section M2 to M5 of application)

DATE COMPANY POSITION

s9(2)(a) of the OIA

Evidence provided:

s9(2)(a) of the OIA

I am satisfied that the documentation provided conclusively confirms PA's claimed employment history and that they can be awarded the 20 points they have claimed for 10 years of other self-employment business experience.

Relevant Business Experience

BB 3.1.h.i. - Applications for an Entrepreneur Work Visa may be approved if a business immigration specialist is satisfied that the applicant has sufficient business experience relevant to their business proposal.

BB3.15(d)(iii)- The business plan must include satisfactory evidence that the principal applicant has sufficient business experience that is relevant to their business proposal

Comment: I am satisfied that the PA has the necessary management skills to operate that business, and has detailed in the business plan that specialist viticulture staff will be employed to look after the vineyard side of the business.

I am satisfied the applicant has demonstrated sufficient relevant business experience.

Knowledge of NZ

BB3.15 Requirements for a business plan

Business plans must:

E. demonstrate to the satisfaction of a business immigration specialist that:

- i.the principal applicant has sufficient relevant knowledge about the proposed business and the New Zealand business environment; and
- ii.the principal applicant has done sufficient market research into the New Zealand business environment and market for their proposed business, to optimise their chances of succeeding;

Comment:

PA has engaged a number of viticulture specialists and s9(2)(a) of the OIA to assess the feasibility of operating the business.

PA will be employing viticulture-trained staff to look after the grapes, and he s9(2)(a) will operate the café and B&B side of the business

PA is already leasing the property from the owners

The PA's business plan includes contracting out the wine making.

The B&B and café are to be financed through bank loan. This is evidenced on page 6 of the business plan which shows s9(2)(a) of the OIA of loan drawn, in addition to the s9(2)(a) of the OIA loan required to purchase the property.

I am satisfied that the applicant possesses adequate knowledge of the New Zealand business environment and market to optimise their chances of succeeding.

BB6.1.25 Definition of creation of full time employment

a.The creation of full time employment means a new full time and ongoing job or jobs that will be created for New Zealand citizens or residents.

b.A full time and ongoing job means a permanent role for at least 30 hours a week:

- i.as demonstrated in written employment contracts for the role; and
- ii.excluding contract or casual roles.

- c. The creation of full time employment may include cases where new permanent and ongoing part time jobs have been created which, when taken together, are equivalent to new full time roles. Evidence must be provided in respect of each claimed equivalent full time job to demonstrate the part time roles:
- i. are for two or more new roles with fixed hours that are equivalent to one new full time job; and
 - ii. are for permanent and ongoing roles as demonstrated in written employment contracts for the roles; and
 - iii. meet all employment and immigration laws; and
 - iv. exclude contract, sub-contracted or casual roles.
- d. The creation of employment for non-New Zealand citizens or residents in new or existing jobs will not result in points being awarded in the points scale at BB3.10(d).
- e. The employment of New Zealand citizens and residents in existing jobs will not result in points being awarded in the points scale at BB3.10(d).

New Full-Time Employment	Points Claimed	Awarded
10+ F/T	80	
5 + F/T	50	
3 F/T	30	
2 F/T	20	20
1 F/T	10	

Role	Salary	Hours/week
s9(2)(a) of the OIA		

Comment:

The applicant has also acknowledged the need for 4 staff to operate the café, but has not claimed points for this employment

The PA and s9(2)(a) of the OIA both be working in the business and taking a salary of s9(2)(a) of the OIA each from Year 2. This is accounted for under the wage projections for the B&B/Café and the Vineyard.

The wages for the General Foreman and Vineyard Hand have been accounted for in the business plan under `canopy/pruning/harvesting wages

I am satisfied that the applicant can be awarded the 20 points for employment benefit that has been claimed.

Financial Forecasts

BB3.15 Requirements for a business plan

- e. demonstrate to the satisfaction of a business immigration specialist that:
 - iii. the principal applicant's financial forecasts are realistic.

REVENUEEMPLOYEE SALARYNET PROFIT

YEAR 1s9(2)(a) of the OIA

YEAR 2s9(2)(a) of the OIA

YEAR 3s9(2)(a) of the OIA

Relevant assumptions included in the business plan:

gross margin 40ish% for café and b&b and wine sales

Comments:

café/b&b/wine sales do not commence until Year 2. Year 1 is grape sales only.

Export Turnover (based on a credible business plan with realistic forecasts) n/a

Annual Export Turnover (NZD)PointsClaimedAwarded

1,000,00080

750,00060

500,00040

400,00030

300,00020

200,00010

Comments: (Section M8 of application)

I am satisfied that the applicant can be awarded the ** points for annual exports that have been claimed.

Unique or new products or services to New Zealand n/a

BB6.1.30 Definition of providing unique or new products/services to New Zealand

a.A product or service is considered "new" if it is:

i.a significant enhancement or product line not being provided by existing businesses in New Zealand or the region of New Zealand in which the prospective business would be located; or

ii.a proposed enhancement that would promote New Zealand's economic growth within the 3 year validity of the Entrepreneur Work Visa.

b A product or service is considered "unique" if it is:

i.the only product or service of its type being provided in New Zealand; or

ii.a product or service that is not available elsewhere in New Zealand or the region of New Zealand in which the prospective business would be located.

I am satisfied the proposed business will provide a new or unique product or service and can be awarded ** points for this.

Benefit to New Zealand

BB3.15.5a. iv - Information provided by the applicant demonstrating how their business will significantly benefit New Zealand.

BH4.10 Criteria for a business benefiting New Zealand

a. A business is considered to add significant benefit to New Zealand if it can demonstrate that it has promoted New Zealand's economic growth by for example:

- i.introducing new, or enhancing existing, technology, management or technical skills; or
- ii.introducing new, or enhancing existing, products or services; or
- iii.creating new, or significantly expanding existing, export markets; or
- iv.creating sustained and ongoing full time employment for one or more New Zealand citizens or residents; or

v.the revitalisation of an existing New Zealand business that has led to significantly increased financial performance; or

vi.introducing productivity-enhancing spillover benefits or increased capacity utilisation (such as significant net new job creation); and

b. The business is trading profitably on the date the application is lodged or a business immigration specialist is satisfied that it clearly has the potential to become profitable within the following 12 months.

c. For definitions of "new products or services" and "trading profitably" please refer to the Definitions section at BB6.

I am satisfied the proposed business will significantly benefit New Zealand through creating sustained and ongoing full time employment for one or more New Zealand citizens or residents

Location and Bonus Points

BB6.1.35 Definition of a business based outside Auckland

PA proposes business will be based in Waipara, North Canterbury.

Factors considered by applicant in deciding location of their business:

PA is buying a pre-existing vineyard

I am satisfied the applicant has provided credible business reasons for the business to be based in Waipara, and can therefore be awarded 40 bonus points for location.

Age

Points Claimed Awarded

24 and under 15

25-29 20

30-39 20

40-49 20

50-59 10 10 10

60 and over 0

The applicant has provided a passport and birth certificate confirming that they are eligible for the points claimed for age.

Genuine intent

BB3.1(h)i.

I am satisfied that the applicant has a genuine intent to establish the business described in the business plan in New Zealand and will abide by the conditions of the visa.

Objective of policy

BB3.15 Requirements for a business plan

e. demonstrate to the satisfaction of a business immigration specialist that:

iii. the proposed business meets at least one of the business characteristics identified in the objective of the Entrepreneur Work Visa Category, as outlined in BB1.

BB1 Objective The objective of this category is to contribute to economic growth by enabling experienced business people to grow or establish a high growth and innovative business with export potential in New Zealand

Comment: PA has claimed to meet objective through being high growth, for the reasons of revitalising an existing business by creating two or more full time and ongoing jobs for New Zealanders and doubling the annual turnover of the business.

I am not satisfied the proposed business meets at least one of the business characteristics identified in the objective being high growth.

Bankruptcy and Business Failure BB3.1(e) & (f)

PA has declared that they have not been involved in bankruptcy, business failure or convicted of fraud or financial impropriety (Question J4 & J5 of the Application Form). There is no evidence to suggest otherwise.

I am satisfied that the PA meets this aspect of instructions.

Professional or Occupational Registration

BB3 1d the applicant has obtained professional or occupational registration in New Zealand if registration is required for operating the proposed business.

Applicant does not require any professional or occupational registration.

BB3.1.1 Unacceptable risk

a. INZ will decline an application for an Entrepreneur Work Visa where it

considers the grant of the visa would create unacceptable risks to the integrity of New Zealand's immigration or employment laws or policies.

b. Offering business opportunities to meet the requirements of an Entrepreneur Work Visa application by persons whose main business is the facilitation of entry to New Zealand of non-New Zealand citizens and residence class visa holders potentially creates an unacceptable risk to the integrity of New Zealand's immigration laws and policies. Therefore, applications for Entrepreneur Work Visas based on such business opportunities will not be approved.

Based on the proposed business plan, I am satisfied the applicant's business does not pose an unacceptable risk to New Zealand laws or policies.

Fit and proper - for applications lodged on or after 10/11/2016

BB3.1

Applications for an Entrepreneur Work Visa may be approved if:

j. the applicant meets fit and proper person requirements (see BM1);

From the business 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. Also, applicant does not appear to be under investigation by Serious Fraud or NZ police for offences arising or resulting from any business dealings. There is no conviction record for the PA as per Police Certificate supplied particularly for offense involving dishonesty in NZ or foreign country. 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 BM instructions.

Verification and Risk profiling

The application has been triaged as medium risk

Warnings against applicants: None

Warnings against agent: None

Verification carried out: None

oSearch of Companies Register - no concerns identified

s6(c) of the OIA

Points Summary

Points Claimed Points Awarded
Capital investment 5050
Type of Experience 2020
Claimed F/T Employment 2020
Exports per year
Age 1010
Outside Auckland 4040
Unique Good or Service
Total Points 140140

The applicant has claimed 140 points of which 140 have been awarded

APPROVAL:

I am satisfied that the applicant:

has submitted a credible business plan that meets the requirements of BB instructions;
and
the PA can implement the business plan as proposed ; and
has sufficient knowledge of NZ business environment; and
has sufficient business experience that is relevant to the business proposal.

I am not satisfied that the applicant has a business proposal that meets one of the business characteristics of the objectives of policy as required under BB3.15.e; however I am granting and Exception to Instructions on the Objective, as discussed with the Manager. An ETI has been granted after taking into consideration the type of business, the location of the business, the potential employment opportunities for the region, and the PA's significant business experience.

Decision taken: APPROVE

2PC
Business Immigration Specialist
Date: 26/06/2017

Date/Time Created: 28/Jun/2017 09:47 AM
Officer: Parker, Sarah
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

AIP letter sent to agent:

From: Sarah Parker
Sent: Wednesday, 28 June 2017 9:47 a.m.
To: [REDACTED]
Subject: RE: EWV - Colin Rath A/No [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi [REDACTED]

Please find attached the Approval in Principle letter for Mr Rath.

Kind Regards,
Sarah Parker
BUSINESS IMMIGRATION SPECIALIST

Date/Time Created: 04/Jul/2017 10:12 AM
Officer: Tan, Jocelyn
Branch: Wellington Business Unit
Type: Travel Document
Client Id: [REDACTED]
Client Name: RATH, COLIN DAVID

Passport Scan Saved
Travel Document Number: [REDACTED]
Country of Citizenship: United States of America

Date/Time Created: 04/Jul/2017 10:12 AM
Officer: Tan, Jocelyn
Branch: Wellington Business Unit
Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

5 x PPTS rec'd and scanned, forwarded to S Parker

Date/Time Created: 07/Jul/2017 11:31 AM

Officer: Parker, Sarah

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Passports ready for labelling and file to go Online

Date/Time Created: 07/Jul/2017 11:36 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Kesaia Koro, Date Recorded: 7/07/2017 11:36:45 a.m.

Client's Licensed Advisor contacted ICC about (LIA/Lawyer queries , Have you received what you asked for?)

The required information was provided.

Call Type: Failure Demand

s9(2)(a)

Malcolm Pacific

Trusted

Advd:

-ppts rec'd;

-ready for labelling as of today.

info accepted.

Date/Time Created: 07/Jul/2017 01:30 PM

Officer: Smith, Flossie

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

5 x Labels printed

Sent via courier: 5 x PPTs, letter^s

s9(2)(a) of the OIA

Date/Time Created: 13/Sep/2017 11:37 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Tanya Shymko, Date Recorded: 13/09/2017 11:37:41 a.m.

Sandie Julian from Canterbury DHB

emailed requesting the following client information:

Action taken by ICC: Email Sent with screen dumps attached with the info below.

Provided Client Details, Travel Documents, Applications, Movements, Visas Held.

Date/Time Created: 09/Mar/2018 10:19 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Danelle Gopperth, Date Recorded: 9/03/2018 10:19:34 a.m.

Client's Licensed Advisor ^{s9(2)(a)} Malcolm Pacific contacted ICC via trusted line about
(Checking my progress , I need an update on my clients application)

The required information was provided.

Adv

- not yet in system
- can take up to 2 weeks to be lodged

Info accepted

Out of scope

Date/Time Created: 04/Jul/2018 02:42 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Application created

Date/Time Created: 04/Jul/2018 02:42 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 04/Jul/2018 02:52 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 04/Jul/2018 02:52 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 04/Jul/2018 02:52 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 04/Jul/2018 02:54 PM

Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Health record created against application: s9(2)(a) of the OIA
Outcome: ASH.

Date/Time Created: 04/Jul/2018 02:56 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 04/Jul/2018 03:00 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

Electronic NZ Police Certificate ORDERED by on 04-07-2018. This message will be updated once a result is received.

Date/Time Created: 04/Jul/2018 03:12 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA} [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Medicals within 36 months

Date/Time Created: 04/Jul/2018 03:14 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA} [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

CHARACTER / POLICE CERTIFICATE - is within 24 months

Date/Time Created: 04/Jul/2018 03:14 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Health Notes

Client Id: ^{s9(2)(a) of the OIA} [REDACTED]

Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN

Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Out of scope

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

File to MQ

Address & contact details updated

Agent added

Date/Time Created: 04/Jul/2018 03:15 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Case Manager changed from: Pritchard-Selu, Janice

Case Manager changed to: Managed, Queue Wgtn Bus Unit

Case Manager changed by: Pritchard Selu, Janice

Date/Time Created: 04/Jul/2018 04:22 PM

Officer: IGMS, Case Manager

Branch: IGMS

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

Address updated 4/7/2018 s9(2)(a)

s9(2)(a) COLIN@WAIPARAWINDS.CO.NZ, Allow Online Viewing=No, 64

s9(2)(a)

Date/Time Created: 04/Jul/2018 04:22 PM

Officer: IGMS, Case Manager
Branch: IGMS
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

Address updated 4/7/2018 , s9(2)(a)
s9(2)(a) COLIN@WAIPARAWINDS.CO.NZ, Allow Online Viewing=No, 64
s9(2)(a)

Date/Time Created: 04/Jul/2018 11:19 PM
Officer: Interim, Visa Wellington Business Unit
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Interim visa, General

Application Created by Interim, Visa Wellington Business Unit

Date/Time Created: 06/Jul/2018 03:54 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Kamal Koirala, Date Recorded: 6/07/2018 3:54:00 p.m.

Client's Licensed Advisor from Malcolm Pacific - LIA (trusted) contacted ICC about
(Checking my progress , Will I be granted an Interim Visa?)

This contact relates to the Worker branch.

The required information was provided.

LIA enquired for the partner and 3 children.

Adv

- No live applns. on file

info accepted

Date/Time Created: 06/Jul/2018 04:18 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Application created

Date/Time Created: 06/Jul/2018 04:18 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN

Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 06/Jul/2018 04:20 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 06/Jul/2018 04:21 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 06/Jul/2018 04:21 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 06/Jul/2018 04:21 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 06/Jul/2018 04:22 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Health record created against application: s9(2)(a) of the OIA
Outcome: ASH.

Date/Time Created: 06/Jul/2018 04:40 PM
Officer: Pritchard-Selu, Janice
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN

Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 06/Jul/2018 04:45 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Application requested for both COP & Balance.

Application linked

File to MQ

-Agent Added

-SA Added

-EWV linked

Temps for 4 SAs raised and linked to Bal/EWV

-Application accepted

-No PPTS included

Date/Time Created: 06/Jul/2018 04:46 PM

Officer: Pritchard-Selu, Janice

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Case Manager changed from: Pritchard-Selu, Janice

Case Manager changed to: Managed, Queue Wgtn Bus Unit

Case Manager changed by: Pritchard-Selu, Janice

Date/Time Created: 06/Jul/2018 05:49 PM

Officer: IGMS, Case Manager

Branch: IGMS

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

Address updated 6/7/2018 , C/ -s9(2)(a) , Malcolm Pacific Akl Ltd, PO Box 6219, Wellesley Street, Auckland, , NZ, 1141, s9(2)(a) , akld@malcolmpacific.com, Allow Online Viewing=No,

Date/Time Created: 16/Jul/2018 09:06 AM

Officer: Brown, Ashleigh

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Correspondence received and placed in file in MQ

Date/Time Created: 16/Jul/2018 09:06 AM

Officer: Brown, Ashleigh

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Correspondence received and placed in file in MQ

Date/Time Created: 20/Jul/2018 12:48 PM

Officer: Customs User ID, Customs User ID

Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Azmath Mansoor , Date Recorded: 20/07/2018 12:48:37 p.m.

Client's Licensed Advisor contacted ICC about (Checking my progress , Do I have a CO/IO allocated?)

This contact relates to the Investment branch.

The required information was provided.

Adv s9(2)(a) of Malcolm Pacific calling via trusted line:
- app still in queue waiting for allocoation

Date/Time Created: 27/Jul/2018 10:40 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Jaimee Archibald, Date Recorded: 27/07/2018 10:40:10 a.m.

Client's Licensed Advisor contacted ICC about (Checking my progress , I need an update on my clients application)

This contact relates to the Worker branch.

The required information was provided.

s9(2)(a) from Malcolm Pacific - LIA via trusted line

Adv:
-Still in queue for allocation for both appls

info accepted

Date/Time Created: 31/Jul/2018 04:01 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Case Manager changed from: Managed, Queue Wgtn Bus Unit

Case Manager changed to: Leslie, Andrew

Case Manager changed by: Leslie, Andrew

Date/Time Created: 31/Jul/2018 04:01 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Location changed from: <Not Allocated>

Location changed to: Assigned

Location changed by: Leslie Andrew

Date/Time Created: 31/Jul/2018 04:01 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Entered amount for the capital was: \$500,000 +

Date/Time Created: 31/Jul/2018 04:02 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA} [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Change of plan)

Selected age was: 50 - 59

Date/Time Created: 31/Jul/2018 04:02 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA} [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Case Manager changed from: Managed, Queue Wgtn Bus Unit

Case Manager changed to: Leslie, Andrew

Case Manager changed by: Leslie, Andrew

Date/Time Created: 31/Jul/2018 04:03 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA} [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Location changed from: <Not Allocated>

Location changed to: Assigned

Location changed by: Leslie, Andrew

Date/Time Created: 31/Jul/2018 04:06 PM

Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Exception to Policy
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Application s9(2)(a) of the OIA (Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)) has an Exception to Policy condition.
Exception: Other (funds transfer)

Date/Time Created: 01/Aug/2018 09:00 AM
Officer: IGMS, Case Manager
Branch: IGMS
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Address updated 1/8/2018 , s9(2)(a)
colin@waiparawinds.co.nz, Allow Online Viewing=s9(2)(a)

Date/Time Created: 01/Aug/2018 09:06 AM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

From: Andrew Leslie
Sent: Wednesday, 1 August 2018 9:06 a.m.
To: s9(2)(a)
Subject: Colin RATH DOB s9(2)(a) , EWV "balance" s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) - I confirm the above application has now been allocated for assessment under BB4.5. Your 03 July letter includes a submission under BB5 ("Change of Business Proposal"), relating to the linkage between the nominated funds and the partial funds transferred to NZ. I understand, however, the plan is essentially unchanged, and that PA s6(c) transfer some of the s6(c) e total NZ\$500,000 (as originally proposed, and on the basis of which he claimed and was

awarded 50 of the qualifying points).

I propose in the circumstances (as we discussed in our telephone conversation yesterday), rather than considering as a change request under BB5, to instead consider as an "Exception to instructions" in relation to the highlighted sections of BB3.5.10 and BB4.5ai below. And on that basis, given the the full proposed \$500,000 is yet to me made, to proceed consider an extension to the EWV "start-up stage" in terms of BB4.5.5a. This would be to allow PA further opportunity s6(c) (in the way set out at BB4.5ai) to make up the balance ().

In this case the standard 12 month EWV "Start -up stage" was 07 July 2017 - 07 July 2018, and the 5 applicants currently hold "interim" visas. We're currently looking at extending the "start-up stage" through to 07 February 2019. i.e. The effect would be to give PA a further opportunity s6(c) transfer s9(2)(a) of the OIA s6(c) to makeup the full s9(2)(a) of the OIA investment as proposed, and on the basis of which PA claimed 50 qualifying points. I expect to formalise the visas shortly, perhaps later today.

When PA reapplies early next year we'd be looking at the remaining portion of the 3 year period. Ie. To 07 July 2020. s9(2)(a) of the OIA

regards

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

andrew.leslie@mbie.govt.nz | Telephone: +64 (04) 896 5540
www.immigration.govt.nz

BB3.5 10 Recognition of capital investment

Capital investment includes all nominated funds used in the establishment and operation of the approved business, except those used for:

- a. passive or speculative investment(s), such as reserve funds or term deposits; or
- b. the purchase of items for the personal use of the applicant(s), such as personal residences, cars or boats; or
- c. remuneration paid to the applicant(s) or their immediate family; or
- d. investment in residential property, except where the development of residential property meets the requirements of BB6.1.50 and formed part of an applicant's business plan.

BB4.5 Requirements at the end of the Entrepreneur Start-Up stage

a. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that:

i. the investment capital for the proposed business, as stated in the business plan, has been transferred directly from the holder's bank account(s) through the banking system to New Zealand; and

ii. reasonable steps have been taken to establish or invest in the business as set out in the business plan.

b. A business immigration specialist must also be satisfied the applicant continues to meet the fit and proper person requirements set out at BM1.

BB4.5.1 Evidence of reasonable steps taken to establish and operate a business

a. Evidence of transferring investment capital to New Zealand through the banking system may include but is not limited to:

i. telegraphic transfer forms

ii. bank statements

iii. other documents, evidence and information the business immigration specialist considers may demonstrate the transfer of investment capital to New Zealand through the banking system.

b. Evidence of reasonable steps taken to establish and operate a business may include but is not limited to:

i. documents evidencing the constitution of the business (e.g. certificate of incorporation)

ii. audited accounts

iii. GST records

iv. other tax records

v. property purchase or lease documents relating to the business' site

vi. invoices for business equipment and supplies

vii. other documents, evidence and information a business immigration specialist considers may demonstrate reasonable steps taken to establish or invest in a business (e.g. employment agreements, bank statements, utility company invoices, sales agreements, contracts to provide products or services).

BB4.5.5 Further Entrepreneur Start-Ups

a. A business immigration specialist may extend the Entrepreneur Start-Up stage, in cases where they are not satisfied that the requirements of BB4.5(a) have been met, but are satisfied that the holder may be able to meet these requirements within a specified time, to allow the holder to take further steps to establish and operate their business.

b. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that they meet the requirements at BB4.5(a) to be granted an Entrepreneur Balance at the expiry of that second period.

c. Further Entrepreneur Start-Ups will not extend the maximum length of the Entrepreneur Work Visa, which will still be for a period of up to 3 years (that is, the maximum duration remains up to 3 years from the date the Entrepreneur Work Visa was granted).

Effective 10/11/2016

Date/Time Created: 01/Aug/2018 10:08 AM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

From: s9(2)(a) of the OIA
Sent: Wednesday, 1 August 2018 9:10 a.m.
To: Andrew Leslie
Subject: RE: Colin RATH DOBs s9(2)(a) EWV "balance" s9(2)(a) of the OIA [IN-
CONFIDENCE:RELEASE EXTERNAL]

Sounds fine to me Andrew; than you for being so understanding.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

Date/Time Created: 01/Aug/2018 01:52 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

This is a revised, re-dated version of the assessment report taking account of change to risk indicator generated by decision on COP

EWV application for "Balance of 3 yr period", s9(2)(a)

Interim Appln No: s9(2)(a) of the OIA

COP: s9(2)(a) of the OIA

Name (PA): Mr Colin David RATH s9(2)(a) of the OIA

Partner/spouse (SA): s9(2)(a)

s9(2)(a)

Dependent

children s9(2)(a) s9(2)(a)

Lodged: 03 July 2018

All 5 applicants b. US & hold US ppts

Further updated docs provided 12 July 2018

BB4.5 Requirements at the end of the Entrepreneur Start-Up stage

a. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence sufficient to satisfy a business immigration specialist that:

i. the investment capital for the proposed business, as stated in the business plan, has been transferred directly from the holder's bank account(s) through the banking system to New Zealand; and

ii. reasonable steps have been taken to establish or invest in the business as set out in the business plan.

BB4.5.1 Evidence of reasonable steps taken to establish and operate a business

a. Evidence of transferring investment capital to New Zealand through the banking system may include but is not limited to:

i. telegraphic transfer forms

ii. other documents, evidence and information the business immigration specialist considers may demonstrate the transfer of investment capital to New Zealand through the banking system.

b. Evidence of reasonable steps taken to establish and operate a business may include but is not limited to:

i. documents evidencing the constitution of the business (e.g. certificate of incorporation)

ii. audited accounts

iii. GST records

iv. other tax records

v. property purchase or lease documents relating to the business' site

vi. invoices for business equipment and supplies

vii. other documents, evidence and information a business immigration specialist considers may demonstrate reasonable steps taken to establish or invest in a business (e.g. employment agreements, bank statements, utility company invoices, sales agreements, contracts to provide products or services).

BB4.5.5 Further Entrepreneur Start-Ups

a. A business immigration specialist may extend the Entrepreneur Start-Up stage, in cases where they are not satisfied that the requirements of BB4.5(a) have been met, but are satisfied that the holder may be able to meet these requirements within a specified

time, to allow the holder to take further steps to establish and operate their business.

b. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that they meet the requirements at BB4.5(a) to be granted an Entrepreneur Balance at the expiry of that second period.

c. Further Entrepreneur Start-Ups will not extend the maximum length of the Entrepreneur Work Visa, which will still be for a period of up to 3 years (that is, the maximum duration remains up to 3 years from the date the Entrepreneur Work Visa was granted).

Effective 24/03/2014

?WV valid to 07 Jul 2018 Yes

?Evidence of business start up partial

?Evidence of Funds Transfer partial

In this case the "Entrepreneur Start-up stage" is 07 Jul 2017 - 07 Jul Oct 2017. I accept this application was made "Towards the end of the Entrepreneur Start-Up stage ." (in terms of BB4.5a).

The information now provided indicates PA fully met the conditions of his earlier WV, which included: The holder may only work as Owner/Operator in Waipara for Waipara Winds Ltd.

AMS shows:

s9(2)(a)

BM criteria were not in effect at the time of the earlier EWV application. I have reviewed background and I am satisfied he has met, and still meets "the fit and proper person requirements" set out at BM1 (BB4.5b).

Business under Establishment: Waipara Winds Ltd t/a "Fiddler's Green Vineyard", 244-246 St Georges Rd, Glasnevin, North Canterbury www.fiddlersgreen.co.nz

Docs provided relate to established vineyard between located Waipara and Amberley. Property is 19.46 ha. I understand the business has its own label wines, and operates wine-tasting, catering, and host events.

It proposed to gradually rebrand" as "Waipara Winds", the name "Fiddler's Green Vineyard and Bistro" has been trade-marked for the cellar-door operation, and construct a "container" property, and develop an amphitheatre.

Company was reg'd on 07 Nov 2016; PA is the sole directors and 100% shareholder.

OIO approval was given 27 Jan 2018, and purchase and sale agreement is dated 22 June 2018.

I understand the sale is recently transacted

Verification/risk/comment:

s6(c) of the OIA

s6(c) of the OIA

Nominated funds/assets include a s6(c)
 A further s9(2)(a) of the OIA has yet be invested. s6(c)

Correspondence with LIA

My email to LIA dated 01 May 2018 includes

Your 03 July letter incudes a submission under BB5 ("Change of Business Proposal"), relating to the linkage between the nominated funds and the partial funds transferred to NZ. I understand, however, the plan is essentially unchanged, s6(c)

NZ\$500,000 (as originally proposed, and on the basis of which he claimed and was awarded 50 of the qualifying points).

I propose in the circumstances (as we discussed in our telephone conversation yesterday), rather than considering as a change request under BB5, to instead consider as an "Exception to instructions" in relation to the highlighted sections of BB3.5.10 and BB4.5ai below. And on that basis, given the he full proposed \$500,000 is yet to me made, to proceed consider an extension to the EWV "start-up stage" in terms of BB4.5.5a. This would be to allow PA further opportunity s6(c) transfer the s6(c) (in the way set out at BB4.5ai) to make up the balance (s6(c) of the OIA)

In this case the standard 12 month EWV "Start -up stage" was 07 July 2017 - 07 July 2018, and the 5 applicants currently hold "interim" visas. We're currently looking at extending the "start-up stage" through to 07 February 2019. i.e. The effect would be to give PA a further opportunity s6(c) transfer s9(2)(a) of the OIA of the s6(c) to makeup the full \$500,000 investment as proposed, and on the basis of which PA claimed 50 qualifying points. I expect to formalise the visas shortly, perhaps later today.

When PA reapplies early next year we'd be looking at the remaining portion of the 3 year period. Ie. To 07 July 2020. s9(2)(a) of the OIA

Verification/risk/comment:

The application was originally triaged as medium risk for PA, s9(2)(a) of the OIA

s6(c) of the OIA

s6(c) of the OIA

in fact low risk in respect of all 5 applicants.

I am satisfied the application is

Family

I am satisfied that the 5 applicants are living together s9(2)(a) of the OIA

s9(2)(a) of the OIA

The business is trading, and I accept business establishment (as set out in the agreed plan) is on track, and that PA may (likely) yet make the full required level of investment (\$500,000) s6(c)

I have discussed time-frame with LIA. We agreed a 6 month extension (to 06 Jan 2019) might not necessarily be quite long enough, and the holiday period would effectively allow only to December.

Summary

While PA has acquired the proposed business I am not satisfied that PA has yet established in line with the plan. This is because the nominated asset has s6(c)

I accept, however, that business establishment is well in train and that PA may (and likely) will yet make that required level of investment. Given the timeframe involved I consider that it is appropriate to "extend the Entrepreneur Start-Up stage" (in terms of BB4.5.5a). On this basis a further work visa can be granted to PA to 07 Feb 2019. i.e. a 7 month extension to the original 12 EWV "start-up period". This will allow PA a further opportunity s6(c) make the full apital investment as originally prososed to the level and in the way that is set out in the agreed/approved business plan.

Decision taken

APPROVE further W V to PA for further 6 month portion of "balance period" (to 11 Apr 2018).

Signed:

Andrew Leslie
Business Immigration Specialist

Date: Wednesday, 01 August 2018

Date/Time Created: 01/Aug/2018 04:07 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - V31e, Work visa approval letter ONSHORE - 1/08/2018 4:07:14 p.m.

Date/Time Created: 02/Aug/2018 08:22 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - , - 2/08/2018 8:22:07 a.m.

Date/Time Created: 02/Aug/2018 08:23 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - v381, Work e visa approval letter - 2/08/2018 8:23:21 a.m.

Date/Time Created: 02/Aug/2018 08:27 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

EWV application for "Balance of 3 yr period", s9(2)(a) of the OIA

Interim Appln No: s9(2)(a) of the OIA

COP: s9(2)(a) of the OIA

Name (PA): Mr Colin David RATH s9(2)(a) of the OIA

Partner/spouse (SA): s9(2)(a)

s9(2)(a)

Dependent

children s9(2)(a)

Lodged: 03 July 2018

All 5 applicants b. US & hold US ppts

Further updated docs provided 12 July 2018

BB4.5 Requirements at the end of the Entrepreneur Start-Up stage

a. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence sufficient to satisfy a business immigration specialist that:

i. the investment capital for the proposed business as stated in the business plan, has been transferred directly from the holder's bank account(s) through the banking system to New Zealand; and

ii. reasonable steps have been taken to establish or invest in the business as set out in the business plan.

BB4.5.1 Evidence of reasonable steps taken to establish and operate a business

a. Evidence of transferring investment capital to New Zealand through the banking system may include but is not limited to:

i. telegraphic transfer forms

ii. other documents, evidence and information the business immigration specialist considers may demonstrate the transfer of investment capital to New Zealand through the banking system.

b. Evidence of reasonable steps taken to establish and operate a business may include but is not limited to:

i. documents evidencing the constitution of the business (e.g. certificate of incorporation)

ii. audited accounts

iii. GST records

iv. other tax records

v. property purchase or lease documents relating to the business' site

vi. invoices for business equipment and supplies

vii. other documents, evidence and information a business immigration specialist considers may demonstrate reasonable steps taken to establish or invest in a business (e.g.

employment agreements, bank statements, utility company invoices, sales agreements, contracts to provide products or services).

BB4.5.5 Further Entrepreneur Start-Ups

- a. A business immigration specialist may extend the Entrepreneur Start-Up stage, in cases where they are not satisfied that the requirements of BB4.5(a) have been met, but are satisfied that the holder may be able to meet these requirements within a specified time, to allow the holder to take further steps to establish and operate their business.
- b. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that they meet the requirements at BB4.5(a) to be granted an Entrepreneur Balance at the expiry of that second period.
- c. Further Entrepreneur Start-Ups will not extend the maximum length of the Entrepreneur Work Visa, which will still be for a period of up to 3 years (that is, the maximum duration remains up to 3 years from the date the Entrepreneur Work Visa was granted).

Effective 24/03/2014

?WV valid to 07 Jul 2018 Yes

?Evidence of business start up partial

?Evidence of Funds Transfer partial

In this case the "Entrepreneur Start-up stage" is 07 Jul 2017 - 07 Jul Oct 2017. I accept this application was made "Towards the end of the Entrepreneur Start-Up stage ." (in terms of BB4.5a).

The information now provided indicates PA fully met the conditions of his earlier WV, which included: The holder may only work as Owner/Operator in Waipara for Waipara Winds Ltd.

AMS shows:

s9(2)(a)

BM criteria were not in effect at the time of the earlier EWV application. I have reviewed background and I am satisfied he has met, and still meets "the fit and proper person requirements" set out at BM1 (BB4.5b).

Business under Establishment: Waipara Winds Ltd t/a "Fiddler's Green Vineyard", 244-246 St Georges Rd, Glasnevin, North Canterbury www.fiddlersgreen.co.nz

Docs provided relate to established vineyard between located Waipara and Amberley. Property is 19 46 ha. I understand the business has its own label wines, and operates wine-tasting, catering, and host events.

It proposed to gradually rebrand" as "Waipara Winds", the name "Fiddler's Green Vineyard and Bistro" has been trade-marked for the cellar-door operation, and construct a "container" property, and develop an amphitheatre.

Company was reg'd on 07 Nov 2016; PA is the sole directors and 100% shareholder.

OIO approval was given 27 Jan 2018, and purchase and sale agreement is dated 22 June 2018.

I understand the sale is recently transacted

Verification/risk/comment:

s6(c) of the OIA

s6(c)

Correspondence with LIA

My email to LIA dated 01 May 2018 includes

Your 03 July letter incudes a submission under BB5 ("Change of Business Proposal"), relating to the linkage between the nominated funds and the partial funds transferred to NZ. I understand, however, the plan is essentially unchanged, s6(c)

NZ to s9(2)(a) NZ\$500,000 (as originally proposed, and on the basis of which he claimed and was awarded 50 of the qualifying points).

I propose in the circumstances (as we discussed in our telephone conversation yesterday), rather than considering as a change request under BB5, to instead consider as an "Exception to instructions" in relation to the highlighted sections of BB3.5.10 and BB4.5ai below. And on that basis, given the he full proposed \$500,000 is yet to me made, to proceed consider an extension to the EWV "start-up stage" in terms of BB4.5.5a. s6(c)

In this case the standard 12 month EWV "Start -up stage" was 07 July 2017 - 07 July 2018, and the 5 applicants currently hold "interim" visas. We're currently looking at extending the "start-up stage" through to 07 February 2019. i.e. The effect would be to give PA a further opportunity s6(c) s6(c) \$500,000 investment as proposed, and on the basis of which PA claimed 50 qualifying points. I expect to formalise the visas shortly, perhaps later today.

When PA reapplies early next year we'd be looking at the remaining portion of the 3 year period. Ie. To 07 July 2020. s9(2)(a)

Verification/risk/comment:

The application was originally triaged as medium risk for PA, s9(2)(a)

s6(c) of the OIA

I am satisfied the application is in fact low risk in respect of all 5 applicants.

Family

I am satisfied that the 5 applicants are living together in a s9(2)(a)

s9(2)(a) of the OIA

The business is trading, and I accept business establishment (as set out in the agreed plan) is on track, and that PA may (likely) yet make the full required level of investment (\$500,000) s6(c) and that the outstanding balance s9(2)(a) of the OIA may yet be transferred to NZ in the way prescribed (as at BB4.5ai).

I have discussed time-frame with LIA. We agreed a 6 month extension (to 06 Jan 2019) might not necessarily be quite long enough, and the holiday period would effectively allow only to December.

Summary

While PA has acquired the proposed business I am not satisfied that PA has yet established in line with the plan. This is because s6(c)

I accept, however, that business establishment is well in train and that PA may (and likely) will yet make that required level of investment. Given the timeframe involved I consider that it is appropriate to "extend the Entrepreneur Start-Up stage" (in terms of BB4.5.5a). On this basis a further work visa can be granted to PA to 07 Feb 2019. i.e. a 7 month extension to the original 12 EWV "start-up period". This will allow PA a further opportunity s6(c) make the full apital investment as originally proposed to the level and in the way that is set out in the agreed/approved business plan.

Decision taken

APPROVE further W V to PA for further 7 month portion of "balance period" (to 07 Feb 2019).

Signed:

Andrew Leslie

Business Immigration Specialist

Date: Wednesday, 01 August 2018

Date/Time Created: 02/Aug/2018 08:45 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - , - 2/08/2018 8:45:54 a.m.

Date/Time Created: 02/Aug/2018 10:13 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - V31e, Work visa approval letter ONSHORE - 2/08/2018 10:13:59 a.m.

Date/Time Created: 02/Aug/2018 11:02 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

From: Andrew Leslie
Sent: Thursday, 2 August 2018 10:58 a.m.
To: s9(2)(a) of the OIA
Subject: RE: Colin RATH s9(2)(a) of the OIA, EWV "balance" s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) of the OIA - scanned attachment is if the copies of the visas, which have been issued to 07 Feb 2019. Hard copy's in the mail today

regards

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

andrew.leslie@mbie.govt.nz | Telephone: +64 (04) 896 5540
www.immigration.govt.nz

From: s9(2)(a) of the OIA
Sent: Wednesday, 1 August 2018 9:10 a.m.
To: Andrew Leslie
Subject: RE: Colin RATH s9(2)(a) of the OIA, EWV "balance" s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Sounds fine to me Andrew; than you for being so understanding.

Regards

s9(2)(a) of the OIA

Date/Time Created: 02/Aug/2018 03:54 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

From: s9(2)(a) of the OIA

Sent: Thursday, 2 August 2018 11:39 a.m.

To: Andrew Leslie

Subject: RE: Colin RATH s9(2)(a) of the OIA, EWV "balance" s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Andrew,
Thank you for this.

Regards,

s9(2)(a) of the OIA

Immigration Assistant

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

NOTICE:

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From: Andrew Leslie <Andrew.Leslie@mbie.govt.nz>

Sent: Thursday, August 2, 2018 10:58 AM

To: s9(2)(a) of the OIA

Subject: RE: Colin RATH s9(2)(a) of the OIA, EWV "balance" s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) of the OIA - scanned attachment is if the copies of the visas, which have been issued to 07 Feb 2019. Hard copy's in the mail today

regards

29/10/2021

111 of 261

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

andrew.leslie@mbie.govt.nz | Telephone: +64 (04) 896 5540
www.immigration.govt.nz

Date/Time Created: 05/Aug/2018 04:01 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

Electronic NZ Police Certificate RECEIVED by BMB Admin Support on 05-08-2018.
NZ Police status is No Result. Please see the Staff Toolkit to view progress or result.

Date/Time Created: 07/Sep/2018 02:15 PM
Officer: Opai, Olga
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Supporting files received
Balance docs

and filed ONLINE under AN s9(2)(a) of the OIA

Date/Time Created: 28/Sep/2018 12:53 PM

Officer: Opai, Olga

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Supporting files received (correspondence, property/ real estate docs, financial docs) and filed ONLINE under the main Application.

Date/Time Created: 17/Dec/2018 09:57 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN

From: Andrew Leslie

Sent: Monday, 17 December 2018 9:56 a.m.

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Work Visa - Colin Rath s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) of the OIA - we don't necessarily need a new EWV application form at this stage but (as with other EWV types), we'll need this in hard copy.

I note the earlier application wasn't in fact approved as an "exception" but rather in terms of the specific instruction at BB4.5.5a. So we're now at the stage set out at BB4.5.5b. i.e. the "expiry of that second period" is the deadline of 07 Feb 2019.

Our records show that in this case PA originally claimed 50 qualifying points based on his proposed capital investment of \$500,000+; and s6(c)

As I now understand it from this further information s6(c) the funds were transferred from Australia to an NZ s9(2)(a) of the OIA by s9(2)(a) of the OIA, and this went straight into paying off the mortgage on the property.

s6(c)

there's therefore s9(2)(a) (s6(c) of s9(2)(a) of the OIA. In the circumstances it appears that what we'll now need to consider is making an "exception to instructions" in relation to: -the s6(c)

directly from the holder's bank account(s) through the banking system to New Zealand" (i.e. in the way prescribed at BB4.5ai); and
-s9(2)(a) s9(2)(a) of the OIA . i.e s9(2)(a) of the OIA the proposed total of \$500,000 derives from some source s6(c)
It may therefore be helpful if PA can provide info. on the source/ownership of the s9(2)(a) funds, and whether they were transferred to NZ through the banking system.

Given the coming holiday period, and that we're working to a date of 07 Feb, I suggest that if you do wish to discuss at this stage, we do so a.s.a.p.

regards

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

andrew.leslie@mbie.govt.nz | Telephone: +64 (04) 896 5540
www.immigration.govt.nz

BB3.5.10 Recognition of capital investment

Capital investment includes all nominated funds used in the establishment and operation of the approved business, except those used for:

- a. passive or speculative investment(s), such as reserve funds or term deposits; or
- b. the purchase of items for the personal use of the applicant(s), such as personal residences, cars or boats; or
- c. remuneration paid to the applicant(s) or their immediate family; or
- d. investment in residential property except where the development of residential property meets the requirements of BB6.1 50 and formed part of an applicant's business plan.

BB4.5 Requirements at the end of the Entrepreneur Start-Up stage

a. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that:

- i. the investment capital for the proposed business, as stated in the business plan, has been transferred directly from the holder's bank account(s) through the banking system to New Zealand; and
- ii. reasonable steps have been taken to establish or invest in the business as set out in the business plan.

b. A business immigration specialist must also be satisfied the applicant continues to meet the fit and proper person requirements set out at BM1.

BB4.5.5 Further Entrepreneur Start-Ups

a. A business immigration specialist may extend the Entrepreneur Start-Up stage, in cases where they are not satisfied that the requirements of BB4.5(a) have been met, but are satisfied that the holder may be able to meet these requirements within a specified time, to allow the holder to take further steps to establish and operate their business.

b. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that they meet the requirements at

BB4.5(a) to be granted an Entrepreneur Balance at the expiry of that second period.
 c. Further Entrepreneur Start-Ups will not extend the maximum length of the Entrepreneur Work Visa, which will still be for a period of up to 3 years (that is, the maximum duration remains up to 3 years from the date the Entrepreneur Work Visa was granted).
 Effective 10/11/2016

From: s9(2)(a) of the OIA
 Sent: Friday, 14 December 2018 1:41 p.m.
 To: Andrew Leslie
 Cc: Colin Rath (colin@waiparawinds.co.nz)
 Subject: Entrepreneur Work Visa - Colin Rath C/No s9(2)(a) of the OIA

Hi Andrew

I hope all is well leading up to the Christmas break.

On 2nd August 2018 you approved an extension of the above applicant's Entrepreneur "Start Up" Work Visa.

The current Visa is valid until 7th February 2019.

The above extension was approved as an exception to s6(c) s6(c) specifically the applicant is required to invest a further s9(2)(a) of the OIA INZ have been satisfied the applicant has invested s9(2)(a) of the OIA; the outstanding amount of s9(2)(a) of the OIA will meet the requirements to invest a minimum of \$500,000 into the New Zealand business.

s6(c)

We have attached a "Loan Agreement" Between the applicant "Colin Rath" the business "Waipara Winds" and "s9(2)(a) of the OIA" who is the lender. The Loan Agreement is for s9(2)(a) of the OIA.

Attached is the Trust Account Statement from the applicant's solicitors, s9(2)(a) of the OIA to confirm the receipt of the funds s6(c) s9(2)(a) of the OIA. This statement confirms a payment of s9(2)(a) of the OIA to s9(2)(a) of the OIA (mortgage lender) on behalf of the applicant's business Waipara Winds Ltd.

s6(c) s9(2)(a) of the OIA have been used to pay down the mortgage secured to purchase the business.

The applicant has invested his nominated funds as follows:

1. Deposit on property s9(2)(a) of the OIA

2.Vineyard Improvements s9(2)(a) of the OIA
3.B & B, Café and Amphitheatre s9(2)(a) of the OIA
4.Payment towards Mortgage s9(2)(a) of the OIA

TOTAL s9(2)(a) of the OIA

Colin Rath has meet the requirements to invest \$500,000 into the nominated business.

We request Colin and his family be granted the remainder of their Entrepreneur Work Visas valid until 7th July 2020.

We look forward to receiving the new eVisas for the family soon,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

Date/Time Created: 17/Dec/2018 02:06 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

telephone conversation in relation to upcoming balance appln (to be recxvd by 07 Feb 2019) . I noted that if PA knew that they wd need "renewal" there is no limitation on how early he may apply

I have printed off the further docs recvd yesterday by email & will hold these pending the upcoming "balance" appln.

Date/Time Created: 21/Dec/2018 12:45 PM
Officer: Heath, Jason
Branch: Wellington
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

Received 20/12/2018

Advisor Letter
Financial Docs
Settlement Agreement
Supporting Docs

Handed to Andrew L

Date/Time Created: 04/Jan/2019 03:45 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

I ret'd hard copy fo Jason on 21st - yet top be lodged

Date/Time Created: 07/Jan/2019 11:48 AM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Application created

Date/Time Created: 07/Jan/2019 11:48 AM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 07/Jan/2019 11:53 AM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 07/Jan/2019 11:53 AM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 07/Jan/2019 11:54 AM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 07/Jan/2019 11:55 AM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 07/Jan/2019 11:59 AM

Officer: Woods, Margaret

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Health record created against application: s9(2)(a) of the OIA

Outcome: ASH.

Date/Time Created: 07/Jan/2019 12:04 PM

Officer: Woods, Margaret

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

All medicals for client and SA's ASH and valid.

Date/Time Created: 07/Jan/2019 12:05 PM

Officer: Woods, Margaret

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

A Character Certificate was issued on 27/Dec/2016 . The certificate originated from United States of America. This was entered for Client s9(2)(a) of the OIA RATH, COLIN DAVID

Date/Time Created: 07/Jan/2019 12:09 PM

Officer: Woods, Margaret

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

s9(2)(a) of the OIA

Date/Time Created: 07/Jan/2019 12:42 PM

Officer: Woods, Margaret

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Emailed advisor in regards to PC for SA . Waiting for response.

Good Afternoon s9(2)(a) of the OIA

We have received application for Balance of Work Visa for the above client. What is required is a Police Certificate for Secondary Applicant s9(2)(a) of the OIA

Happy New Year

Regards

Marguerite Woods
Support Officer

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Marguerite.Woods@mbie.govt.nz Telephone: +64 (04) 8965331
www.immigration.govt.nz

NZBN 9429000106078

Date/Time Created: 07/Jan/2019 02:13 PM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 07/Jan/2019 02:14 PM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Case Manager changed from: Woods, Margaret
Case Manager changed to: Managed, Queue Wgtn Bus Unit
Case Manager changed by: Woods, Margaret

Date/Time Created: 07/Jan/2019 02:14 PM
Officer: Woods, Margaret
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3

years)

File and documents placed in Managed Queue Wgtn Bus Unit.

Date/Time Created: 08/Jan/2019 08:55 AM

Officer: Kennedy, Josh

Branch: Wellington

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Out of scope

From: Josh Kennedy

Sent: Tuesday, 8 January 2019 8:55 a.m.

To: s9(2)(a) of the OIA

Subject: RE: Colin David Rath AN: s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

You are right, technically s9(2)(a) of the OIA doesn't require a police certificate for lodgement, however she will require one if the application is to be approved. Entrepreneur Work Visas are slightly unique whereby all applicants can be included in one temporary form and we assess them under residence character s9(2)(a)

This is because it's a work to residence visa and we don't want to be putting people on this pathway unless we are confident they will likely continue to meet residence instructions at the time of making an Entrepreneur Res app.

Regards

Josh Kennedy

IMMIGRATION MANAGER

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Josh.kennedy@mbie.govt.nz | Telephone: +64 (04) 901 1309 | Mobile: s9(2)(a) of the OIA
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Monday, 7 January 2019 9:41 p.m.

To: Marguerite Woods

Cc: Josh Kennedy

Subject: RE: Colin David Rath AN: [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi [REDACTED]

Thank you for the email.

As per instruction A5.5 (d), [REDACTED] is not required to provide a police certificate from the USA [REDACTED] has held consecutive student visa (or interim visas with study conditions) since the date she turned 17, & is applying for a further student visa.

Instructions are pasted below for your ease of reference.

Thanks,

A5.5 Character checks

a.Character checks must be carried out for the following categories of applicant:

- i.those aged 17 and over applying for residence class visas; and
- ii.those aged 17 and over applying for temporary entry class visas who intend to stay in New Zealand for 24 months or longer; and
- iii.other applicants for temporary entry class visas who warrant a character check if the immigration officer decides it is necessary.

Note: the 24-month period in A5.5(a)(ii) above includes time already spent in New Zealand prior to the application being made.

b.It is a mandatory requirement (see R2.40) for first time applicants for a residence class visa aged 17 and over to obtain a police or similar certificate from:

- i.the applicant's country of citizenship; and
- ii.each country in which the applicant has lived for 12 months or more (whether on one visit or intermittently) in the last 10 years (but see A5.10.1).

Applicants for a further residence class visa under RV2 or RV4 will not usually need to submit a police or similar certificate, unless specifically asked to by an immigration officer. Applicants for a further residence class visa applying under any other category are required to submit a police or similar certificate as if they were applying for residence for the first time.

Note: the requirement in A5.5(b) above does not apply to Australian citizens, holders of a current Australian permanent residence visa and holders of a current Australian resident return visa, applying for a resident visa at an immigration control area.

c.If required, applicants aged 17 and over applying for a temporary entry class visa must obtain a police or similar certificate from:

- i.their country of citizenship; and
- ii.from any country in which they have lived for five or more years (whether on one visit or intermittently) since attaining the age of 17 years.

d.Despite (c) above, student visa applicants do not have to provide a police or

similar certificate until they are aged 20 or over if they:

- i. held a student visa when they turned 17; and
- ii. have held consecutive student visas (or interim visas with study conditions) since the date they turned 17; and
- iii. are applying for a further student visa.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

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From: Marguerite Woods <Marguerite.Woods@mbie.govt.nz>
Sent: Monday, January 7 2019 12:42 PM
To: s9(2)(a) of the OIA
Subject: RE: Colin David Rath AN: [IN-CONFIDENCE:RELEASE EXTERNAL]

Good Afternoon

We have received application for Balance of Work Visa for the above client. What is required is a Police Certificate for Secondary Applicant s9(2)(a) of the OIA

Happy New Year

Regards

Marguerite Woods

Support Officer

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

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www.immigration.govt.nz

NZBN 9429000106078

Date/Time Created: 14/Jan/2019 10:13 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Case Manager changed from: Managed, Queue Wgtn Bus Unit

Case Manager changed to: Leslie, Andrew

Case Manager changed by: Leslie, Andrew

Date/Time Created: 14/Jan/2019 10:13 AM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Location changed from: <Not Allocated>

Location changed to: Assigned

Location changed by: Leslie, Andrew

Date/Time Created: 14/Jan/2019 12:44 PM

Officer: IGMS, Case Manager

Branch: IGMS

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Address updated 14/1/2019 , s9(2)(a) colin@waiparawinds.co.nz, Allow Online Viewing=No, s9(2)(a)

Date/Time Created: 14/Jan/2019 12:44 PM

Officer: IGMS, Case Manager

Branch: IGMS

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Address updated 14/1/2019 , s9(2)(a) Malcolm Pacific Limited, POBOX 6219, Wellesley Street, Auckland, , NZ, 1141, , Allow Online Viewing=No,

Date/Time Created: 14/Jan/2019 02:20 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

From: Andrew Leslie

Sent: Monday, 14 January 2019 2:20 p.m.

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Work Visa - Colin Rath s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) of the OIA - thanks for your comments from earlier today. As discussed grateful if you could advise a.s.a.p. if PA wishes consideration to be given at this stage to a change request (under BB5). And if this is going to involve re-worked financial forecasts (showing loan re-payments), then when will these be available?

Work visa label wording

The conditions of the previous EWVs stipulated PA be self-employed in Waipara Winds Ltd, which I understand is the primary and substantive (vineyard, wine-making) business entity.

NZ Companies Office shows PA is also the sole director and shareholder of [REDACTED] s9(2)(a) of the OIA [REDACTED]. If this other company is in fact already trading then I surmise it's an associated, secondary entity; and may be more tourist oriented. If we can take the 2 companies as one business, then we can identify both these NZ companies on PA's visa label? Or if not then is some change to ownership planned?

If, however, the 2nd company's activities involves some divergence from the agreed plan, then this'll presumably need to be formalised within a change request (see above).

s9(2)(a) of the OIA [REDACTED]

My earlier email (of 01 Aug 2018) notes: When PA reapplies early next year we'd be looking at the remaining portion of the 3 year period. Ie To 07 July 2020. s9(2)(a) of the OIA [REDACTED]

s9(2)(a) of the OIA [REDACTED]

I'll be pleased to discuss further if that'll be helpful.

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

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NZBN 9429000106078

From: Andrew Leslie
Sent: Monday, 17 December 2018 9:56 a.m.
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Work Visa - Colin Rath C/No s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) of the OIA - we don't necessarily need a new EWV application form at this stage but (as with other EWV types), we'll need this in hard copy.

I note the earlier application wasn't in fact approved as an "exception" but rather in terms of the specific instruction at BB4.5.5a. So we're now at the stage set out at BB4.5.5b. i.e. the "expiry of that second period" is the deadline of 07 Feb 2019.

Our records show that in this case PA originally claimed 50 qualifying points based on his proposed capital investment of \$500,000+; s6(c)

s6(c)

In the circumstances it appears that what we'll now need to consider is making an "exception to instructions" in relation to:

s6(c)

from the holder's bank account(s) through the banking system to New Zealand" (i.e. in the way prescribed at BB4.5ai); and

-a s9(2)(a) amount of s9(2)(a) of the OIA of the proposed total of \$500,000 s6(c)

It may therefore be helpful if PA can provide info. on the source/ownership of the s9(2)(a) funds, and whether they were transferred to NZ through the banking system.

Given the coming holiday period, and that we're working to a date of 07 Feb, I suggest that if you do wish to discuss at this stage, we do so a.s.a.p.

regards

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

andrew.leslie@mbie.govt.nz | Telephone: +64 (04) 896 5540
www.immigration.govt.nz

Date/Time Created: 22/Jan/2019 01:25 PM

Officer: Leslie, Andrew

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

EWV application for "Balance of 3 yr period", s9(2)(a) of the OIA (following extn to "the Entrepreneur Start-Up stage" 4.5.5a, s9(2)(a)

Interim Appln No: s9(2)(a) of the OIA

(refused to consider)

Extn to start-up: s9(2)(a) of the OIA (appr as ETI)

Name (PA): Mr Colin David RATH s9(2)(a) of the OIA

Partner/spouse (SA): s9(2)(a)

s9(2)(a)

Dependent

children s9(2)(a)

Lodged: 20 Dec 2018

All 5 applicants b. US & hold US ppts

BB4.5 Requirements at the end of the Entrepreneur Start-Up stage

a. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence sufficient to satisfy a business immigration specialist that:

i. the investment capital for the proposed business, as stated in the business plan, has been transferred directly from the holder's bank account(s) through the banking system to New Zealand; and

ii. reasonable steps have been taken to establish or invest in the business as set out in the business plan.

BB4.5.1 Evidence of reasonable steps taken to establish and operate a business

a. Evidence of transferring investment capital to New Zealand through the banking system may include but is not limited to:

i. telegraphic transfer forms

ii. other documents, evidence and information the business immigration specialist

considers may demonstrate the transfer of investment capital to New Zealand through the banking system.

b. Evidence of reasonable steps taken to establish and operate a business may include but is not limited to:

i. documents evidencing the constitution of the business (e.g. certificate of incorporation)

ii. audited accounts

iii. GST records

- iv. other tax records
- v. property purchase or lease documents relating to the business' site
- vi. invoices for business equipment and supplies
- vii. other documents, evidence and information a business immigration specialist considers may demonstrate reasonable steps taken to establish or invest in a business (e.g. employment agreements, bank statements, utility company invoices, sales agreements, contracts to provide products or services).

BB4.5.5 Further Entrepreneur Start-Ups

- a. A business immigration specialist may extend the Entrepreneur Start-Up stage, in cases where they are not satisfied that the requirements of BB4.5(a) have been met, but are satisfied that the holder may be able to meet these requirements within a specified time, to allow the holder to take further steps to establish and operate their business.
- b. Towards the end of the Entrepreneur Start-Up stage, the holder must provide evidence to satisfy a business immigration specialist that they meet the requirements at BB4.5(a) to be granted an Entrepreneur Balance at the expiry of that second period.
- c. Further Entrepreneur Start-Ups will not extend the maximum length of the Entrepreneur Work Visa, which will still be for a period of up to 3 years (that is, the maximum duration remains up to 3 years from the date the Entrepreneur Work Visa was granted).

Effective 24/03/2014

?WV valid to 07 Feb 2019 Yes

?Evidence of business start up Yes

?Evidence of Funds Transfer Yes

In this case the original "Entrepreneur Start-up stage" is 07 Jul 2017 - 07 Jul Oct 2017, and extn to 07 Feb 2019. I accept this application was made:

- ". at the expiry of that second period" (in terms of BB4.5.5b); and
- "Towards the end of the Entrepreneur Start-Up stage ." (in terms of BB4.5a).

The information now provided indicates PA fully met the conditions of his:

original EWV, which included: The holder may only work as Owner/Operator in Waipara for Waipara Winds Ltd.

Further extn EWV, which included: The holder may only work as a self-employed business person in North Canterbury for Waipara Winds Ltd (vineyard).

s9(2)(a)

BM criteria were not in effect at the time of the original EWV application, but were assessed positively at the extension stage. I have reviewed background and I am satisfied he has met, and still meets "the fit and proper person requirements" set out at BM1 (BB4.5b).

Business Established: Waipara Winds Ltd t/a "Fiddler's Green Vineyard", 244-246 St Georges Rd, Glasnevin, North Canterbury www.fiddlersgreen.co.nz

Docs previously provided relate to established vineyard between located Waipara and Amberley. Property is 19.46 ha. The business has its own label wines, and operates

wine-tasting, catering, and host events.

It proposed to gradually rebrand from "Fiddler's Green to "Waipara Winds".

- Company was reg'd on 07 Nov 2016; PA is the sole director and 100% shareholder.
- OIO approval was given Jan 2018, and s6(c)

I have been provided a copy of a loan agreement with s9(2)(a) of the OIA

s6(c)

Verification/risk/comment:

Application(s) triaged as medium for PA Out of scope

s6(c) of the OIA

LIA has advised in email dated 21 Jan 2019:

- "New York Grape Escape Ltd is closed and will be terminated at end of physical year March 2019. It was involved with the lease of the property before the final Sale and Purchase was completed. Waipara Winds is the sole business on the visa "

s9(2)(a) of the OIA

- "The applicant has confirmed the previous forecasts did take into account the loan and loan payments. However he is reviewing the forecasts with his chartered accountant and if they are no longer accurate a change of business plan application will be lodged."

There has already been a COP request. Given, however, (BB5).

Family

I am satisfied that the 5 applicants are currently living together in s9(2)(a)

s9(2)(a) of the OIA



Summary

I am satisfied:

- the business is established and operating/trading in a way that (at this stage) appears in line with the agreed plan;
- total investment made to date exceeds the amount originally proposed.

s6(c)
s6(c)

Given, however, s6(c) there has evidently been a s9(2)(a) of some of the funds used from other source (s). Given the background (i.e. that it was made quite clear in the original EWV appln that PA is/was reasonably wealthy and held significant further funds) I am satisfied as to PA's ownership of these additional funds.

The plan was made on the basis s6(c)

While I find this process quite legitimate, this means these funds were not "transferred directly from the holder's bank account(s) through the banking system to New Zealand" (in terms of BB4.5ai). I find the documentation on this transfer clear/transparent.

Decision(s) taken

APPROVE

On the basis given above I will issue a further W V to PA as an ETI; this would be as an ET in respect of the method of funds transfer to NZ, and takes account of the facts that I find PA's ownership clear, and the method of transfer legitimate/clear/transparent. The further W V will be to 07 July 2020.

Consequently I will also now consider aider issuing:

Out of scope

Signed:

Andrew Leslie
Business Immigration Specialist

Date: Tuesday, 22 January 2019

Date/Time Created: 22/Jan/2019 01:34 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Exception to Policy
Client Id: ^{s9(2)(a) of the OIA}
Client Name: RATH, COLIN DAVID

Application ^{s9(2)(a) of the OIA} (Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)) has an Exception to Policy condition.
Exception: Other (eti in relation to the method of transfer of some of the funds used for capital investment - see concl of EWV "balance" assessmnt report)

Date/Time Created: 22/Jan/2019 03:21 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - BMB19, EWV Balance Stage Approval letter - 22/01/2019 3:21:20 p.m.

Date/Time Created: 22/Jan/2019 03:26 PM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Final letter printed - v381, Work e visa approval letter - 22/01/2019 3:26:56 p.m.

Date/Time Created: 23/Jan/2019 09:32 AM
Officer: Leslie, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

Balance docs to Online file s9(2)(a) of the OIA

From: Andrew Leslie
Sent: Wednesday, 23 January 2019 9:31 a.m.
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Work Visa - Colin Rath C/No s9(2)(a) of the OIA [IN-
CONFIDENCE:RELEASE EXTERNAL]

s9(2)(a) of the OIA - then for this. Scanned attachment is a copy of the decision letter plus the 5 e-
visas.

Regards

Andrew Leslie
BUSINESS IMMIGRATION SPECIALIST

Visa Services - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

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www.immigration.govt.nz

NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Monday, 21 January 2019 5:17 p.m.

To: Andrew Leslie

Subject: RE: Entrepreneur Work Visa - Colin Rath C/No [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Andrew

I hope you had a nice weekend.

I have spoken with the above applicant and he has confirmed:

New York Grape Escape

New York Grape Escape Ltd is closed and will be terminated at end of physical year March 2019. It was involved with the lease of the property before the final Sale and Purchase was completed. Waipara Winds is the sole business on the visa

[REDACTED]

[REDACTED]

Financial Forecast

The applicant has confirmed the previous forecasts did take into account the loan and loan payments. However he is reviewing the forecasts with his chartered accountant and if they are no longer accurate a change of business plan application will be lodged.

Regards

[REDACTED]

Date/Time Created: 24/Jan/2019 08:22 AM

Officer: Opai, Olga

Branch: Wellington

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Supporting papers received (Balance of 3 yr period / Re AN ^{s9(2)(a) of the OIA} and sent to TIMG to file Online under File ^{s9(2)(a) of the OIA}

Date/Time Created: 28/Feb/2019 12:28 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: ^{s9(2)(a) of the OIA}
Client Name: RATH, COLIN

-- Contact Centre Notes Record --

Customer Services Officer: Lisa Greer, Date Recorded: 28/02/2019 12:28:57 p.m.

Client's Licensed Advisor contacted ICC about (DHB/Hospital checking status of XX)

This contact relates to the Third party visa status product.

The required information was provided.

s9(2)(a) of the OIA

Date/Time Created: 03/Oct/2019 10:52 AM
Officer: Kennedy, Josh
Branch: Wellington Business Unit
Type: Client Notes
Client Id: ^{s9(2)(a) of the OIA}
Client Name: RATH, COLIN

Correspondence about start date for self-employment under BH instructions:

From: Josh Kennedy
Sent: Thursday, 3 October 2019 10:52 a.m.
To: ^{s9(2)(a) of the OIA}
Subject: RE: Entrepreneur Residence Visa - Clarification [UNCLASSIFIED]

Cheers [REDACTED] not a problem, your suggested approach was in line with how we calculate self-employment anyway.

Will add a file note.

Regards

Josh Kennedy
IMMIGRATION MANAGER

Border and Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Josh.kennedy@mbie.govt.nz | Telephone: +64 (04) 901 1309 | Mobile: [REDACTED]
www.immigration.govt.nz
NZBN 9429000106078

[REDACTED] s9(2)(a) of the OIA

3 October 2019 9:42 a.m.

To: Josh Kennedy
Subject: RE: Entrepreneur Residence Visa - Clarification

Hi Josh

Just wanted to send a quick email to Thank you for your call on Tuesday and confirmation that INZ would accept the situation described below.

For your reference, this relates to the client Colin Rath C/No [REDACTED]

Regards

[REDACTED] s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph [REDACTED] s9(2)(a)

Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA
Sent: Monday, September 30, 2019 5:14 PM
To: Josh Kennedy <Josh.Kennedy@mbie.govt.nz>
Subject: Entrepreneur Residence Visa - Clarification

Hi Josh,

I'm hoping to have a conversation with you regarding INZ's interpretation of the situation described briefly below

In short, our client was approved an Entrepreneur (Start Up) Work Visa on 7 July 2017 - he proposed to purchase a vineyard, revitalize this & create employment for NZer's. The current Visas expire 7 July 2020.

There was a delay in the actual purchase of the vineyard due to the OIO process - OIO decision 19 January 2018. The applicant finalized the purchase after receiving OIO approval; s6(c)

As you can see, the vineyard was purchased approx. 1 year after the Entrepreneur Work Visa was approved. As such, we hope, Year 1 of the business, for the Entrepreneur Residence Visa Application, can commence 1 July 2018 to 30 June 2019; year 2, 1 July 2019 to 30 June 2020.

If INZ was to state that Year 1 started 7 July 2017, after the Entrepreneur Work Visa was approved, the applicant will not meet his proposed financial forecasts/employment creation for year 1 as he didn't actually own the business - he was leasing during the OIO decision process. While leasing he was not able to invest into the vineyard and implement his business plan. Only formally purchased the vineyard (29 June 2018) he was able to commence his business plan. So we would suggest Year 1 starts 1 July 2018.

If you could let me know when you might be free to chat about the above that would be appreciated.

Thanks Josh,

Regards

s9(2)(a) of the OIA

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph s9(2)(a)
Website: www.malcolmpacific.com

Date/Time Created: 20/Jan/2020 12:40 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

-- Contact Centre Notes Record --
Customer Services Officer: Rekha Devi, Date Recorded: 20/01/2020 12:40:17 p.m.

Client's Licensed Advisor contacted ICC about

This contact relates to the Worker product.

The required information was provided.

PCC- 27/Dec/2016 .
GMC and CXR12/01/2017

Date/Time Created: 21/Jan/2020 02:49 PM
Officer: Prasad, Krishan
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN

correspondence regarding renewal process / specific purpose visas to allowing processing of erv

Hi s9(2)(a) of the OIA

Josh has asked me to reply to this on his behalf.

As you said - to apply for a renewal fill out the EWV form, tick that you're applying for a renewal (Section A11 and the right side checklist on pg26) and cross out non-relevant sections. The fee for this is the same as the standard EWV and these are generally granted for three years.

An alternative to this would be to lodge the residence application (have it accepted for lodgement) alongside accompanying specific purpose work visa forms (INZ1015, for the PA, INZ1198 for the SA and INZ1012 (student) or INZ1017 (visitor) for any dependants) as per BH8.

Please let me know if you have any questions or require further information.

Regards,

Krishan Prasad
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

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www.immigration.govt.nz

NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Monday, 20 January 2020 12:30 p.m.
To: Josh Kennedy
Subject: RE: Entrepreneur - Colin Rath C/No s9(2)(a) of the OIA [UNCLASSIFIED]

Hi Josh,

I hope you had a nice long weekend.

I was in contact with you regarding the above applicant in October 2019 (email chain below).

The applicant's Entrepreneur WV expires 7 July 2020 so I am in the process of seeking an extension so that the family can remain in NZ and lodge their residence visa application.

The application will be lodged in accordance with BB4.10.

I am contacting you with regards to the practicalities of lodging this application as it is not clear. Do we re-complete an Entrepreneur Work Visa form and cross out the non-relevant questions??

Policy says the "prescribed fee and immigration levy paid" so I presume this is the Entrepreneur Work Visa Fee \$ 3,365 ?

If you could clarify that would be great.

Thanks Josh,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Josh Kennedy <Josh.Kennedy@mbie.govt.nz>

Sent: Thursday, October 3, 2019 10:52 AM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Residence Visa - Clarification [UNCLASSIFIED]

Cheers s9(2)(a) of the OIA not a problem, your suggested approach was in line with how we calculate self-employment anyway.

Will add a file note.

Regards

Josh Kennedy
IMMIGRATION MANAGER

Border and Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Josh.kennedy@mbie.govt.nz | Telephone: +64 (04) 901 1309 | Mobile: +s9(2)(b) of the OIA
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Thursday, 3 October 2019 9:42 a.m.
To: Josh Kennedy
Subject: RE: Entrepreneur Residence Visa - Clarification

Hi Josh

Just wanted to send a quick email to Thank you for your call on Tuesday and confirmation that INZ would accept the situation described below.

For your reference, this relates to the client Colin Rath C/No s9(2)(a)

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
s9(2)(a)
Website: www.malcolmpacific.com

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the company.

From: s9(2)(a) of the OIA
Sent: Monday, September 30, 2019 5:14 PM
To: Josh Kennedy <Josh.Kennedy@mbie.govt.nz>
Subject: Entrepreneur Residence Visa - Clarification

Hi Josh,

I'm hoping to have a conversation with you regarding INZ's interpretation of the situation described briefly below

In short, our client was approved an Entrepreneur (Start Up) Work Visa on 7 July 2017 - he proposed to purchase a vineyard, revitalize this & create employment for NZer's. The current Visas expire 7 July 2020.

There was a delay in the actual purchase of the vineyard due to the OIO process - OIO decision 19 January 2018. The applicant finalized the purchase after receiving OIO approval; s6(c)

As you can see, the vineyard was purchased approx. 1 year after the Entrepreneur Work Visa was approved. As such, we hope, Year 1 of the business, for the Entrepreneur Residence Visa Application, can commence 1 July 2018 to 30 June 2019; year 2, 1 July 2019 to 30 June 2020.

If INZ was to state that Year 1 started 7 July 2017, after the Entrepreneur Work Visa was approved, the applicant will not meet his proposed financial forecasts/employment creation for year 1 as he didn't actually own the business - he was leasing during the OIO decision process. While leasing he was not able to invest into the vineyard and implement his business plan. Only formally purchased the vineyard (29 June 2018) he was able to commence his business plan. So we would suggest Year 1 starts 1 July 2018.

If you could let me know when you might be free to chat about the above that would be appreciated.

Thanks Josh,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited

29/10/2021

144 of 261

Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

Ph: s9(2)(a)

Website: www.malcolmpacific.com

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Date/Time Created: 02/Apr/2020 06:01 PM

Officer: EMN System, EMNSystem

Branch: National Office

Type: Application Notes

Appln #: s9(2)(a)(i)

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Balance of 3 years)

Expiry date has been extended under s78. Immigration Act 2009.

Date/Time Created: 02/Jun/2020 10:44 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Application created

Date/Time Created: 02/Jun/2020 10:44 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN

Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 02/Jun/2020 11:19 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Communication address updated from: C/- s9(2)(a) Malcolm Pacific Limited, POBOX 6219, Wellesley Street, Auckland, New Zealand, 1141 to: s9(2)(a) Malcolm Pacific Limited, POBOX 6219, Wellesley Street, Auckland, New Zealand, 1141, s9(2)(a) Address updated in IGMS 02/Jun/2020 11:19 AM.

Date/Time Created: 02/Jun/2020 11:19 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 02/Jun/2020 11:20 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

Date/Time Created: 02/Jun/2020 11:20 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 02/Jun/2020 11:24 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

TENDERED 02/06/2020

PLACED IN CABINET FOR FURTHER LODEGMENT

Date/Time Created: 03/Jun/2020 08:15 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: RATH, COLIN DAVID

Health record created against application: s9(2)(a) of the OIA

Outcome: ASH

Date/Time Created: 03/Jun/2020 08:55 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

2x FBI Reports submitted

USA FBI certificate submitted for Colin David Rath

Date of Issue: 17/03/2020

Place of Issue: USA

Status: Criminal record enclosed s9(2)(a) of the OIA

s9(2)(a) of the OIA

Date/Time Created: 03/Jun/2020 08:59 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

4 x e-medicals submitted.

Date/Time Created: 03/Jun/2020 09:05 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

IDENTITY DOCS

5 x certified copies passports provided

2 x Birth certs

1x marriage cert.

Birthcerts previously provided with the interim application.

Date/Time Created: 03/Jun/2020 09:19 AM

Officer: Opai, Olga
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Fee Payment \$3,365.00 has been declined:
Response Code: 5 - Insufficient Funds
Acquirer Response Code: 51
Page 27 Section T has been returned to Robert de Bique

Date/Time Created: 03/Jun/2020 10:18 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

COMMUNICATION TO ADVISOR - DECLINED CREDIT CARD

From: Robert de Bique
Sent: Wednesday, 3 June 2020 10:17 a.m.
To: [REDACTED]
Subject: Colin Rath - Application [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Dear [REDACTED]
Thank you for the application for Colin Rath and his family. We have attempt to charge the application fee for this application however [REDACTED]
[REDACTED] If you could resolve this problem with Mr. Rath and contact myself once this issue is resolved that would be greatly appreciated.

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua |Immigration New Zealand
Ministry of Business, Inovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

Date/Time Created: 08/Jun/2020 09:01 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

FOLLOW UP ON PAYMENT ISSUES - Insufficient funds

From: Robert de Bique
Sent: Monday, 8 June 2020 8:59 a.m.
To: [REDACTED]
Subject: RE: Colin Rath - Application [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi [REDACTED]
Just following up on whether Colin has placed sufficient funds in his bank account. If you can confirm this information by 12pm NZT. 09 June 2020 that would be greatly appreciated.

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

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Date/Time Created: 08/Jun/2020 12:21 PM
Officer: Opai, Olga
Branch: Wellington Business Unit
Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Fee Payment processed
Receipt handed to Robert de Bique

Date/Time Created: 08/Jun/2020 01:35 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Case Manager changed from: Queue, Lodgement
Case Manager changed to: de Bique, Robert
Case Manager changed by: de Bique, Robert William

Date/Time Created: 08/Jun/2020 01:35 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN
Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN

Date/Time Created: 08/Jun/2020 01:54 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Final letter printed - V7, Standard application acknowledgement letter application has been accepted and will be considered - 8/06/2020 1:54:00 p.m.

Date/Time Created: 08/Jun/2020 01:54 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Final letter printed - V7, Standard application acknowledgement letter application has been accepted and will be considered - 8/06/2020 1:54:28 p.m.

Date/Time Created: 08/Jun/2020 02:06 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

ACKNOWLEDGEMENT SENT TO ADVISOR

From: Robert de Bique

Sent: Monday, 8 June 2020 2:06 p.m.

To: s9(2)(a) of the OIA

Subject: Colin Rath - Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Dear s9(2)(a) of the OIA

Thank You for Mr. Rath's Entrepreneur Work Renewal application. Please see the attached acknowledgement letter and receipt for your attention.

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

Date/Time Created: 08/Jun/2020 02:07 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Case Manager changed from: de Bique, Robert
Case Manager changed to: Managed, Queue Wgtn Bus Unit
Case Manager changed by: de Bique, Robert William

Date/Time Created: 08/Jun/2020 02:08 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

File placed in managed queue.

Date/Time Created: 12/Jun/2020 02:58 PM
Officer: Morgan, Michel
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

Address added 12/6/2020 s9(2)(a)
s9(2)(a) colin@waiparawinds.co.nz, Allow Online Viewing=No s9(2)(a)

Date/Time Created: 12/Jun/2020 03:23 PM
Officer: IGMS, Case Manager
Branch: IGMS
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

*****12 Jun 2020 15:23:00.697 IGMS, Case Manager, IGMS***** This identity
has been updated from s9(2)(a) of the OIA as a result of identity resolution.

Date/Time Created: 18/Jun/2020 10:34 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Case Manager changed from: Managed, Queue Wgtn Bus Unit
Case Manager changed to: de Bique, Robert
Case Manager changed by: de Bique, Robert William

Date/Time Created: 18/Jun/2020 03:40 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: <Not Allocated>
Location changed to: Assigned

Location changed by: de Bique, Robert William

Date/Time Created: 23/Jun/2020 09:58 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

FILE REQUESTED

From: Robert de Bique

Sent: Tuesday, 23 June 2020 9:58 a.m.

To: INZ File-Coordinator Business Migration Branch

Subject: Colin Raith - [REDACTED] []

Hi Guys,

Can I request this file please?

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185

www.immigration.govt.nz

NZBN 9429000106078

Date/Time Created: 23/Jun/2020 09:59 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Assigned
Location changed to: Actionable
Location changed by: de Bique, Robert William

Date/Time Created: 23/Jun/2020 09:59 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Undertaking assessment.

Date/Time Created: 23/Jun/2020 11:36 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Final letter printed - V11, Letter requesting more info docs etc - 23/06/2020 11:36:13 a.m.

Date/Time Created: 23/Jun/2020 12:33 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

INFO REQUEST SENT TO ADVISOR

From: Robert de Bique
Sent: Tuesday, 23 June 2020 12:32 p.m.
To: [REDACTED]
Subject: Colin Rath - Application [REDACTED] [IN-CONFIDENCE:RELEASE]

EXTERNAL]

Hi [REDACTED]

I have been allocated Mr Colin Rath's application for an Entrepreneur Work Visa (Renewal), which we received on 02 June 2020. I am completing an initial assessment and require some additional information as outlined in the attached PDF.

Please feel free to contact me if you have any questions.

Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Visa Services | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

Date/Time Created: 23/Jun/2020 12:36 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Actionable
Location changed to: Non-actionable
Location changed by: de Bique, Robert William

Date/Time Created: 25/Jun/2020 08:40 AM
Officer: Opai, Olga
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

Requested AN ^{s9(2)(a) of the OIA} retrieved from TIMG and handed to Robert de Bique:

Total: 4 (2 x CodaFiles + 2 sets of docs with TIMG Barcodes)

From: Robert de Bique
Sent: Tuesday, 23 June 2020 9:58 a.m.
To: INZ File-Coordinator Business Migration Branch
Subject: Col ^{s9(2)(a) of the OIA} [

Hi Guys,
Can I request this file please?

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua |Immigration New Zealand
Ministry of Business, Inovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
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NZBN 9429000106078

Date/Time Created: 01/Jul/2020 08:35 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

INFO REQUEST REMINDER SENT TO PA

From: Robert de Bique
Sent: Wednesday, 1 July 2020 8:35 a.m.
To: ^{s9(2)(a) of the OIA}
Subject: RE: Colin Rath - Application ^{s9(2)(a) of the OIA} [IN-CONFIDENCE:RELEASE
EXTERNAL]

Hi ^{s9(2)(a) of the OIA}

Just wondering how retrieving the requested information is going as I don't appear to have received it as yet;

IRD employer monthly schedules for the period 01/01/2020 until 31/05/2020.

GST returns for the period 01/01/2020 until 31/05/2020.

Personal and business bank accounts for the period 01/08/2019 until 31/01/2020.

Depreciation schedule for your first at the end of your first years operation.

Evidence of contracts and invoices from your customers and suppliers and confirmation of payment evidence in the bank statements.

Any other information you feel provides evidence to realise the implementation of your business proposal.

A statement explaining how you intend to realise the benefits you claimed in your proposal including revenues, profits and employment levels as outlined taking into account potential impacts from Covid19.

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185

www.immigration.govt.nz

NZBN 9429000106078

From: Robert de Bique

Sent: Tuesday, 23 June 2020 12:32 p.m.

To: s9(2)(a) of the OIA

Subject: Colin Rath - Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

I have been allocated Mr Colin Rath's application for an Entrepreneur Work Visa (Renewal), which we received on 02 June 2020. I am completing an initial assessment and require some additional information as outlined in the attached PDF.

Please feel free to contact me if you have any questions.

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Visa Services | Porirua | Immigration New Zealand

Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

Date/Time Created: 07/Jul/2020 12:01 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

INFO REQUEST RESPONSE RECEIVED

From: s9(2)(a) of the OIA
Sent: Monday, 6 July 2020 3:58 p.m.
To: Robert de Bique
Subject: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA

Hi Colin,

I hope you had a nice weekend

As requested I have attached the following:

- 1.A letter from the applicant which covers off the points you have raised - how you intend to realize the benefits you claimed in your proposal including revenues, profits and employment levels as outlined taking into account potential impacts from Covid19
- 2.IRD Employer Deductions
- 3.Excel spreadsheet detailing food and beverage sales achieved at the Bistro which the applicant has built on the Vineyard

Personal and Business Bank accounts along with Depreciation schedules are still outstanding and will be provided as soon as received.

Regards

s9(2)(a) of the OIA

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: +64 9 309 4187
Email: daniel@malcolmpacific.com
Website: www.malcolmpacific.com

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Date/Time Created: 07/Jul/2020 12:03 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Non-actionable
Location changed to: Actionable
Location changed by: de Bique, Robert William

Date/Time Created: 16/Jul/2020 10:01 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

FURTHER INFO REQUEST SENT - B/U 20/07/2020

From: Robert de Bique

Sent: Monday, 13 July 2020 10:47 a.m.

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

Please provide the business and personal bank accounts related to any business transactions particularly related to wages and day to day business activities. These were initially requested on 01/07/2020. I note you have previously stated that the financial statements are being completed and am hoping you have any further information with regards to this. It is primarily the first year depreciation schedule or fixed asset register we required to confirm what funds had been spent to start up the business as per the original business plan. If the financial statements are available by the due date there provision would be greatly appreciated also.

Please provide this information by 20 July 2020

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185

www.immigration.govt.nz

NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Monday, 6 July 2020 3:58 p.m.

To: Robert de Bique

Subject: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA

Hi Colin,

I hope you had a nice weekend

As requested I have attached the following:

- 1.A letter from the applicant which covers off the points you have raised - how you intend to realize the benefits you claimed in your proposal including revenues, profits and employment levels as outlined taking into account potential impacts from Covid19
- 2.IRD Employer Deductions

3.Excel spreadsheet detailing food and beverage sales achieved at the Bistro which the applicant has built on the Vineyard

Personal and Business Bank accounts along with Depreciation schedules are still outstanding and will be provided as soon as received.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

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Date/Time Created: 20/Jul/2020 10:00 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

EVIDENCE OF MAINTENACE FUNDS REQUESTED B/U 24/07/2020

Bank accounts provided do show evidence of funds available .

From: Robert de Bique
Sent: Monday, 20 July 2020 9:58 a.m.
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

I noted you have made the following comment.

The financial statements including depreciation schedules are not finalized. However documentation has already been presented to INZ to demonstrate the nominated funds have been sent to start up the business as per the original business plan. I'm happy to scan and email through this evidence if required, just let me know.

Are you able to provide the existing depreciation schedule as at 30/06/2019 as that appears to be the end of the business's first financial year. Also if you could provide evidence they have sufficient maintenance funds for the next three years.

Please provide this information by 24/07/2020.

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

Date/Time Created: 24/Jul/2020 08:59 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Actionable

Location changed to: Non-actionable

Location changed by: de Bique, Robert William

Date/Time Created: 24/Jul/2020 08:59 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Non-actionable

Location changed to: Actionable

Location changed by: de Bique, Robert William

Date/Time Created: 24/Jul/2020 09:00 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

INFO REQUEST RESPONSE RECEIVED

From: [REDACTED]

Sent: Thursday, 23 July 2020 2:35 p.m.

To: Robert de Bique

Subject: Entrepreneur Renewal Application - Colin Rath Application [REDACTED]

Dear Robert,

Further to my email on 21 July, you now have copies of the documentation provided to INZ which demonstrate the applicant invested nominated funds into the establishment of the proposed business. Specifically:

- Deposit on property [REDACTED]
 - Payment towards Mortgage [REDACTED]
 - Vineyard Improvements [REDACTED]
 - B & B, Café and Amphitheatre [REDACTED]
- TOTAL [REDACTED]

You have asked for a Depreciation Schedules for the first year or a Fixed Asset Schedule.

I have previously provided a Profit + Loss and Balance Sheet for Waipara Winds Limited; the Balance sheet confirms "Long Term Assets" - this information is taken from the applicant's accounting software; [REDACTED] s9(2)(a) of the OIA . I appreciate you may want to verify this information, therefore we have attached an IRD Income Tax Return for the Business; page list lists Fixed Assets totaling [REDACTED] s9(2)(a) of the OIA

Secondly, you have asked for evidence the applicant has sufficient maintenance funds for the next three years.

The applicant owns a rental property in New York; this provides income of [REDACTED] s9(2)(a) of the OIA per month. The current lease agreement us until [REDACTED] s9(2)(a) of the OIA - s9(2)(a) of the OIA of the attached document. The rental agreement will be re-negotiated and extended in [REDACTED] s9(2)(a) of the OIA

You will note the owner of the property in the attached lease agreement is [REDACTED] s9(2)(a) of the OIA Colin and [REDACTED] s9(2)(a) of the OIA are each 50% owners of [REDACTED] s9(2)(a) of the OIA . See the attached Operating Agreement.

The rental income from this property, alongside revenue generated from the applicant's business, will provide more than enough maintenance funds for the duration of the visa.

I hope this is sufficient to meet your requirements and the visa can now be approved.

Thank you for your patience Robert,

Regards

[REDACTED] s9(2)(a) of the OIA

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: [REDACTED] s9(2)(a)
[REDACTED]
Website: www.malcolmpacific.com

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the company.

Date/Time Created: 24/Jul/2020 09:14 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: [REDACTED]
Client Name: Rath, Colin David

-- Contact Centre Notes Record --
Customer Services Officer: James Harris, Date Recorded: 24/07/2020 9:14:47 a.m.

[Caller Name] from [DHB] called requesting the following client information:
Client details, Travel Documents, Applications, Movements, Visa and Permits Held

This contact relates to the Select Product product.

The required information was provided.

Date/Time Created: 31/Jul/2020 09:45 AM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

AWAITING COMMENT ON FULL TIME SELF EMPLOYMENT B/U 04/08/2020

From: Robert de Bique
Sent: Friday, 31 July 2020 8:52 a.m.
To: [REDACTED]
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi [REDACTED]

29/10/2021

168 of 261

I note that the NZ Companies office show PA's is involved as a 100% shareholder in New York Grape Escape Limited (6153128). The PA's shareholding in this company was raised under this balance application in January 2019. We were advised that the company would be terminated at the end of that financial year which was 31/03/2019. I note as at 02/09/2019 that the annual return was submitted and that currently the company is still registered. It you could advise the PA intends to do with this company and how this might impact his ability to be full time self-employed in Waipara Winds Limited t/a Fidlers Green Vineyard.

Please provide this information by 04/08/2020.

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Wednesday, 29 July 2020 4:57 p.m.
To: Robert de Bique
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert,

In regards to the IR4; you will see on page 2 (at the bottom of the page) it states "Forms Filed", one being the IR\$.

I presume your request for an IR4 relates to the most recent financial year, correct? I just want to make sure I am requesting the information which you require.

Thanks

Regards

s9(2)(a) of the OIA

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA
Sent: Wednesday, 29 July 2020 4:51 PM
To: Robert de Bique <Robert.De-Bique@mbie.govt.nz>
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert

Attached is

- Joint Personal Bank statement for the period 2 June to 1 July 2020
- Business Bank Statement for the period 2 June to 1 July 2020.

You will note the most recent payment from s9(2)(a) of the OIA is June 8, 2020. s9(2)(a) of the OIA

I will follow up the IR4

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph s9(2)(a)
Website: www.malcolmpacific.com

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From: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Sent: Friday, 24 July 2020 3:23 PM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

Can you provide the joint bank account for the month of June 2020 and the most recent business bank account where there is a deposit from s9(2)(a) s9(2)(a) of the OIA Currently the most recent month where this occurs is January 2020.

Could you also provide the companies IR4 and confirm when you believe the financial statements will be ready.

Please provide this information by 31/07/2020

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185

www.immigration.govt.nz

NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Friday, 17 July 2020 3:58 p.m.

To: Robert de Bique

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert,

Thank you for your patience while the requested information was being collected. Please find attached:

1. Personal Bank Account Statements for Colin and s9(2)(a)
2. Business Bank Accounts for Waipara Winds which show business activities and salary payments to staff.

In addition to this we attach other document to demonstrate the business activities:

1. GST returns - January 2020 to June 2020 - you will see the business has been impacted significantly by COVID 19
2. Photos of the Vineyard and buildings pre the applicant's purchase
3. Photos of the vineyard and buildings post the applicant's purchase

The financial statements including depreciation schedules are not finalized. However documentation has already been presented to INZ to demonstrate the nominated funds have been sent to start up the business as per the original business plan. I'm happy to scan and email through this evidence if required, just let me know

Thanks Robert,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
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s9(2)(a)

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From: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Sent: Monday, 13 July 2020 10:47 AM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

Please provide the business and personal bank accounts related to any business transactions particularly related to wages and day to day business activities. These were initially requested on 01/07/2020. I note you have previously stated that the financial statements are being completed and am hoping you have any further information with regards to this. It is primarily the first year depreciation schedule or fixed asset register we required to confirm what funds had been spent to start up the business as per the original business plan. If the financial statements are available by the due date there provision would be greatly appreciated also.

Please provide this information by 20 July 2020

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185

www.immigration.govt.nz

NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Monday, 6 July 2020 3:58 p.m.

To: Robert de Bique

Subject: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA

Hi Colin,

I hope you had a nice weekend

As requested I have attached the following:

- 1.A letter from the applicant which covers off the points you have raised - how you intend to realize the benefits you claimed in your proposal including revenues, profits and employment levels as outlined taking into account potential impacts from Covid19
- 2.IRD Employer Deductions
- 3.Excel spreadsheet detailing food and beverage sales achieved at the Bistro which the applicant has built on the Vineyard

Personal and Business Bank accounts along with Depreciation schedules are still outstanding and will be provided as soon as received.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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Date/Time Created: 31/Jul/2020 09:47 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Actionable

Location changed to: Non-actionable

Location changed by: de Bique, Robert William

Date/Time Created: 04/Aug/2020 02:10 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Character Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

A Character Certificate was issued on 17/Mar/2020 . The certificate originated from United States of America. This was entered for Client [REDACTED] RATH, COLIN DAVID

Date/Time Created: 04/Aug/2020 02:20 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: [REDACTED]

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Selected amount of funds was: [REDACTED]

Date/Time Created: 04/Aug/2020 03:04 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Case Manager changed from: de Bique, Robert

Case Manager changed to: Queue, Temp QC

Case Manager changed by: de Bique, Robert William

Date/Time Created: 04/Aug/2020 03:05 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Non-actionable

Location changed to: Quality Control

Location changed by: de Bique, Robert William

Date/Time Created: 13/Aug/2020 02:40 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Still awaiting 2PC

Date/Time Created: 17/Aug/2020 10:32 AM

Officer: Gong, Charlene

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

QC completed. Agreed with decision,

Date/Time Created: 17/Aug/2020 10:35 AM

Officer: Gong, Charlene

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Location changed from: Quality Control

Location changed to: Actionable

Location changed by: Gong, Charlene

Date/Time Created: 20/Aug/2020 05:55 PM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: ^{s9(2)(a) of the OIA}

Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Semelisi Funaki, Date Recorded: 20/08/2020 5:55:45 p.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Worker product.

The required information was provided.

Malcolm Pacific - LIA, Trusted

Date/Time Created: 25/Aug/2020 08:42 AM

Officer: Gong, Charlene

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Case Manager changed from: Queue, Temp QC

Case Manager changed to: de Bique, Robert

Case Manager changed by: Gong, Charlene

Date/Time Created: 25/Aug/2020 10:37 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

EMAIL RECEIVED FROM ADVISOR

From: s9(2)(a) of the OIA

Sent: Thursday, 20 August 2020 5:57 p m

To: Robert de Bique

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert,

I understand from ICC that 2PC has been completed on this application and now its waiting for the new Visas to be issued.

I look forward to receiving the eVisas in due course.

Thank you for your help with this application.

Regards

s9(2)(a) of the OIA

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
Ph: s9(2)(a)
Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA
Sent: Monday, 17 August 2020 10:40 AM
To: 'Robert de Bique' <Robert.De-Bique@mbie.govt.nz>
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert

Can you please confirm no further documentation is required to support this application and it has been put forward for 2PC?

Thanks,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
s9(2)(a)
Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA

Sent: Wednesday, 5 August 2020 9:52 AM

To: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert

Attached is further evidence New York Grape Escape LTD Is being removed from the companies office register.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA

Sent: Monday, 3 August 2020 11:36 AM

To: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert,

The applicant has been working with the IRD to close this business; see attached letter dated 29 July 2020 which confirms IRD have no objection to remove New York Grape Escape LTD from the company register.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Sent: Friday, 31 July 2020 8:52 AM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi

I note that the NZ Companies office show PA's is involved as a 100% shareholder in New York Grape Escape Limited (6153128). The PA's shareholding in this company was raised under this balance application in January 2019. We were advised that the company would be terminated at the end of that financial year which was 31/03/2019. I note as at 02/09/2019 that the annual return was submitted and that currently the company is still registered. It you could advise the PA intends to do with this company and how this might impact his ability to be full time self-employed in Waipara Winds Limited t/a Fidlers Green Vineyard.

Please provide this information by 04/08/2020.

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

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NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Wednesday, 29 July 2020 4:57 p.m.
To: Robert de Bique
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert,

In regards to the IR4; you will see on page 2 (at the bottom of the page) it states "Forms Filed", one being the IR\$.

I presume your request for an IR4 relates to the most recent financial year, correct? I just want to make sure I am requesting the information which you require.

Thanks

Regards

s9(2)(a)

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Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
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Website: www.malcolmpacific.com

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From: s9(2)(a) of the OIA
Sent: Wednesday, 29 July 2020 4:51 PM
To: Robert de Bique <Robert.De-Bique@mbie.govt.nz>
Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert

Attached is

-Joint Personal Bank statement for the period 2 June to 1 July 2020
-Business Bank Statement for the period 2 June to 1 July 2020.

You will note the most recent payment from s9(2)(a) of the OIA is June 8, 2020, s9(2)(a) of the OIA

I will follow up the IR4

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Sent: Friday, 24 July 2020 3:23 PM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

Can you provide the joint bank account for the month of June 2020 and the most recent business bank account where there is a deposit from the couples Property company s9(2)(a) of the OIA. Currently the most recent month where this occurs is January 2020.

Could you also provide the companies IR4 and confirm when you believe the financial statements will be ready.

Please provide this information by 31/07/2020

Kind Regards

Robert de Bique

BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua |Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Friday, 17 July 2020 3:58 p.m.

To: Robert de Bique

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Robert,

Thank you for your patience while the requested information was being collected. Please find attached:

- 1 Personal Bank Account Statements for Colin and s9(2)(a) of the OIA
- 2.Business Bank Accounts for Waipara Winds which show business activities and salary payments to staff.

In addition to this we attach other document to demonstrate the business activities:

- 1.GST returns - January 2020 to June 2020 - you will see the business has been impacted significantly by COVID 19
- 2.Photos of the Vineyard and buildings pre the applicant's purchase

3.Photos of the vineyard and buildings post the applicant's purchase

The financial statements including depreciation schedules are not finalized. However documentation has already been presented to INZ to demonstrate the nominated funds have been sent to start up the business as per the original business plan. I'm happy to scan and email through this evidence if required, just let me know.

Thanks Robert,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Robert de Bique <Robert.De-Bique@mbie.govt.nz>

Sent: Monday, 13 July 2020 10:47 AM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi

Please provide the business and personal bank accounts related to any business transactions particularly related to wages and day to day business activities. These were initial requested on 01/07/2020. I note you have previously stated that the financial statements are being completed and am hoping you have any further information with regards to this. It is primarily the first year depreciation schedule or fixed asset register we required to confirm what funds had been spent to start up the business as per the original

business plan. If the financial statements are available by the due date there provision would be greatly appreciated also.

Please provide this information by 20 July 2020

Kind Regards
Robert de Bique
BUSINESS IMMIGRATION SPECIALIST

Border & Visa Operations | Porirua | Immigration New Zealand
Ministry of Business, Innovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Monday, 6 July 2020 3:58 p.m.
To: Robert de Bique
Subject: Entrepreneur Renewal Application - Colin Rath Application s9(2)(a) of the OIA

Hi Colin,

I hope you had a nice weekend

As requested I have attached the following:

1. A letter from the applicant which covers off the points you have raised - how you intend to realize the benefits you claimed in your proposal including revenues, profits and employment levels as outlined taking into account potential impacts from Covid19
2. IRD Employer Deductions
3. Excel spreadsheet detailing food and beverage sales achieved at the Bistro which the applicant has built on the Vineyard

Personal and Business Bank accounts along with Depreciation schedules are still outstanding and will be provided as soon as received.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited

29/10/2021

186 of 261

Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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Date/Time Created: 28/Aug/2020 10:47 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Final letter printed - BMB37, Entrepreneur Work Visa renewal approval - 28/08/2020 10:47:11 a.m.

Date/Time Created: 28/Aug/2020 11:40 AM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

ASSESSMENT

EWV/LTBV

Category - Renewal

Application Number: ^{s9(2)(a) of the OIA}

Entrepreneur Work Application Number: ^{s9(2)(a) of the OIA}

Applicant: Date of birth:

PA - Colin Rath ^{s9(2)(a) of the OIA}

s9(2)(a) of the OIA

Lodged: 02/06/2020

Adviser: Malcolm Pacific - ^{s9(2)(a)}

Documents Provided YES

Birth certificates: Y

Passports: Y

Medical certificates: Y
PC: Y
NZPC: N
NSC: N/A
IELTS: Previously submitted

Health

Medicals sighted as follows:

s9(2)(a) of the OIA

I am satisfied that the applicants meet health requirements as per immigration instructions A4 instructions (BB4.10(c)(vi)).

Character

Sighted are the following documents:

PA: Date of Issue: 17/03/2020

Place of Issue: USA

Status: Criminal record enclosed s9(2)(a) of the OIA s9(2)(a) of the OIA

[Redacted]

These charges were therefore not considered to come under A5.25. I agree that these charges do not come under A5.25. As no new charges or convictions have occurred since the original charges in [Redacted] I continue to remain satisfied that the client does not come under A5.15, A5.20 or A5.25 and that the client continues to meet the character requirements.

NZPC: Not required.

s9(2)(a) of the OIA

s9(2)(a)

As the PA and ^{Out of scope} have not been in NZ for more than 5 years, no NZPC has been requested.

Applicants have declared charges but these do not come under any of the provisions that require a character waiver or mean that any of the applicants will not meet character requirements.

I am satisfied that applicants meet character as per A5.1 and BB2.1 instructions (BB4.10 (c)(vi))

English Language ability

The applicant has an English speaking background. I am satisfied that the applicant continues to meet the requirements at BH2.10.

Background

Original EWV "start-up" application was approved (BB2.1) on 07/07/2017. A EWV "balance extension of 3 year period" (BB4) was granted on 01/08/2018 and a balance of the 3 year period was granted on 22/01/2019.

AMS shows that the PA is currently IN.

PA arrived in NZ on a work visa on 21/07/2017, s9(2)(a) of the OIA

PA's work visa expires on 25/09/2020 in accordance with the Covid interim visa extensions.

The PA has not already had a renewal of their LTBV/EWV and is therefore eligible for this renewal.

The PA requires a further visa to continue operating the business and meet the requirements of the Entrepreneur Residence Category.

The prescribed fee was paid on 02/06/2020 (BB4.10(b)).

Assessment (BB)

BB4.10 Grant of further Entrepreneur Work Visas beyond three years

- a. A further Entrepreneur Work Visa (or Renewal) may be granted beyond the initial 3 year work visa (for periods not exceeding 3 years) where a business immigration specialist is satisfied that there are valid reasons for the principal applicant needing a further Entrepreneur Work Visa to meet the requirements to apply for or be granted residence under the Entrepreneur Residence Visa Category.
- b. In order to be granted a further Entrepreneur Work Visa, the application must be

approved by a business immigration specialist, and the prescribed fee and immigration levy paid.

c. Further Entrepreneur Work Visas will be granted only where a business immigration specialist is satisfied that:

- i. any time in New Zealand has been spent setting up and operating the original business proposal;
- ii. any change to the original business proposal was granted by a business immigration specialist in accordance with BB5; and
- iii. the principal applicant intends to spend the further period in New Zealand either implementing the original business proposed or a business proposal for which a business immigration specialist has given consent; and
- iv. the principal applicant has, in addition to investment capital, sufficient funds:
?to finance their business; and
?for their own maintenance and accommodation and that of any partner or dependent child/ren accompanying them; and
- v. the principal applicant and any partner or dependent child/ren accompanying them have not drawn on the New Zealand welfare system (see BB2.1.5(c)); and
- vi. the principal applicant and any partner or dependent child/ren accompanying them meet health and character requirements for residence (see A4 and A5); and
- vii .the applicant continues to meet fit and proper person requirements set out at BM1.

Effective 10/11/2016

The PA has requires further time to meet the Entrepreneur Residence requirements because the business has not met the revenue targets delaying the progression of the business.

I am satisfied that there is a valid reason for the principal applicant needing a further Entrepreneur Work Visa to meet the requirements to apply for or be granted residence under the Entrepreneur Residence Visa Category (BB4.10(a)).

The Company Waipara Winds Limited was established on 07/11/2016 in Wairarapa. The company is engaged in growing wine, running a bread and breakfast and a café and bar with PA as the 100% shareholder and the sole director.

Business Summary

Description of proposed type of business: Vineyard that contracts grapes to local wine makers, a 2 unit bed and breakfast, and a fully licensed café and bar.

New or Existing:Existing

Trading as:Waipara Winds Ltd

Location:Waipara, North Canterbury

Proposed # of FTEs:2

PA's proposed shareholding:50% PA and 50% Out of scop

Unique product or service:No

Total Investment:\$500,000

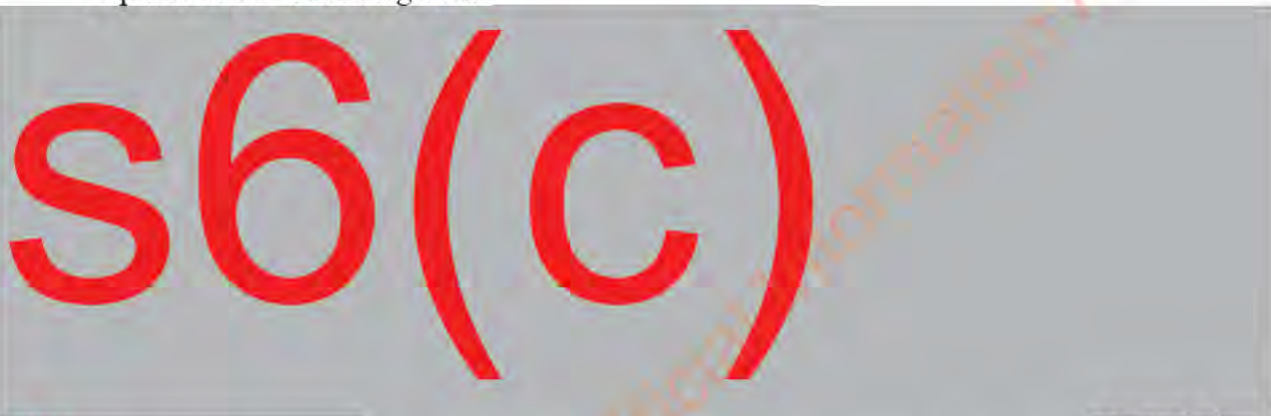
Relevant information:

This proposal relates to a business revitalisation. At the time of purchase the business had no employees and the following financial metrics as at 31/03/2017;

- Total Income: s9(2)(a) of the OIA
- Total cost of sales: s9(2)(a) of the OIA
- Gross Profit: s8(2)(a) of the OIA
- Total operating expense: s9(2)(a) of the OIA
- Net Profit: s9(2)(a) of the OIA

It is the applicant's intention to benefit New Zealand through the creation of employment of one FTE and to significantly increase the annual turnover of the business. Interestingly the capital investment section only mentions \$500,000 for the purchase of vineyards.

Capital Investment background



s6(c)

As such I

am satisfied investment has been made as outlined in the original proposal.

The applicant has provided the following documents with the application:

The financial forecasts as indicated in the business plan submitted with the previous LTBV application have not been met. Financial records (not financial statements) provided indicate the following.

Actual Revenue Gross Margin Salaries Net Profit (before tax)

Year 1/06/'18 -31/05/ s9(2)(a) s9(2)(a) of the OIA

The financial forecasts of the proposed business in the business plan of the LTBV application indicated the following:

Forecast Revenue Gross Margin Salaries Net Profit (after tax)

Year 1 \$s9(2)(a) of the OIA

Year 2 s9(2)(a) of the OIA

Year 3 s9(2)(a) of the OIA

Evidence of contracts have been provided for the following employees;

s9(2)(a) of the OIA

s9(2)(a) of the OIA

usly from 01/01/2020 until 31/05/2020. Viv shows up until 31/03/2020. As noted in [Tag info Req Res] s9(2)(a) of the OIA became the head Chef from 09/03/2020. s9(2)(a) of the OIA employment has not been provided but I can see in the PAYE info that he has been paid over s9(2)(a) of the OIA for the month of April and s9(2)(a) of the OIA for the month of May. Specific evidence has not been provided that he is a New Zealand citizen although it appears likely. This is not a concern at renewal stage. Also included in the info request response is a statement confirming 5 temporary visa holders are also employed. The PAYE documents appear to confirm this. None the less the plan appears on target to generate benefit of one FTE.

Business bank accounts have been provided for the period 09/01/2019 until 31/01/2020. Additional updated statement for the period 29/05/2020 - 01/07/2020 has also been provided. These show regular business transactions such as employees' wages, the revenue for the eftpos machines, payments to suppliers such as Bidfood, power, finance companies and the like.

A bank statement has been provided which appears to be a personal bank account as it is addressed to the PA s9(2)(a) of the OIA and not the business.

With regards to maintenance of funds the advisor has stated the following;

"The applicant owns a rental property in New York; this provides income of s9(2)(a) of the OIA per month. The current lease agreement us until 3 s9(2)(a) of the OIA - page 2 section 45 (a) (Vii) of the attached document. The rental agreement will be re-negotiated and extended in s9(2)(a) of the OIA .

You will note the owner of the property in the attached lease agreement is s9(2)(a) of the OIA Colin and s9(2)(a) of the OIA are each 50% owners of s9(2)(a) of the OIA See the attached Operating Agreement".

s9(2)(a) of the OIA document [Tag TDG] does confirm the applicant PA and s9(2)(a) of the OIA own this company each with a 50% share. The Rental property document [Tag Rental Property] does show that the couple receive funds of s9(2)(a) of the OIA month from 01/05/2019 until 30/04/2021.

The couple's business bank account shows evidence of funds being deposited in the bank account of s9(2)(a) of the OIA for the following;

s9(2)(a) of the OIA

This amounts to s9(2)(a) of the OIA having been transferred from 25/03/2019 until 01/07/2020. Based on this circumstantial evidence it is reasonable to assume funds will continue to be transferred going forward. Based on the information provided revenue is already significantly greater than it was at the time the PA took over this business. However there is still a significant way to go at this time. The PA does appear to have access to a regular

source of funds to assist should this be required. Taking this into account I believe it is possible for the PA to realise all benefits as claimed in the original business plan.

I am satisfied any time spend in New Zealand was spent setting up and operating the original business proposal (BB4.10(c)(i)).

The type and nature of the business established is as originally proposed, no change of plan has been lodged (BB4.10(c)(ii)).

I am satisfied the applicant will spend the further period in New Zealand implementing the original proposed business (BB4.10(c)(iii)).

No additional investment is now proposed.

The PA has provided evidence of ongoing income stream of s9(2)(a) of the OIA minimum to show their maintenance funds.

I am satisfied the applicant has sufficient funds to finance their business and their family maintenance costs (BB4.10(c)(iv))

I am satisfied that the applicants have not drawn on the New Zealand welfare system (BB4.10v.)

Fit and Proper

From the business documents provided, there is no indication the 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. Also, the applicant does not appear to be under investigation by the Serious Fraud Office or NZ police for offences arising or resulting from any business dealings. There is no recent conviction record for the PA as per Police Certificate supplied particularly for offenses involving dishonesty in NZ or other foreign countries. There is no indication the PA has been involved in business fraud or financial impropriety.

I am satisfied the applicant continues to meet the fit and proper person requirement as set out at BM1 (BB4 10(c)(vii))

I am satisfied the applicants partner meets the definition of a partner as per E4.1.20

I am satisfied the dependent child meets the definition of a dependent child as per E4.1.10

I am satisfied the principal applicant and any partner or dependent child/ren accompanying them meet health and character requirements for residence (see A4 and A5); (BB4.10(c)(vi))

E5.5 - Bona fide applicant

The applicant has demonstrated a genuine intention to stay temporarily in New Zealand for a lawful purpose, as per E5.5(b).

I have made an assessment of the ability of the applicant to leave or be deported from New Zealand to their country of citizenship, as per E5.10(a)(ii), and have no concerns.

I have made an assessment of the relevant information held about previous applications, as per E5.10(a)(iii), and have no concerns.

I have made an assessment of the personal circumstances of the applicant, as per E5.5(c)(iv), and have no concerns.

I am satisfied that the applicant is a bona fide applicant, and do not consider it likely that the applicant will remain in New Zealand unlawfully, breach the conditions of this visa, or be unable to leave or be deported; as per E5.

WF3.1, V3.10 & E4.5 - Partnership

s9(2)(a)

U8.20, V3.10 & E4.5 Dependent children and custody

s9(2)(a) of the OIA

Based on above, I am satisfied both children still meet the dependency and custody requirements.

E7.5.1 - Identity

s6(c) of the OIA

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

E7.5 - Risk and Verification

s6(c) of the OIA

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

Decision:

APPROVE further work visas to PA to 07/07/2023 i.e. 6 years from the date of issue of the original LTBV label.

s9(2)(a) of the OIA

Signed: Robert de Bique
Business Immigration Specialist
Date:04/08/2020

2PC
Charlene Gong
Technical Advisor

Date/Time Created: 28/Aug/2020 01:15 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: **s9(2)(a) of the OIA**
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

APPROVAL PDF SENT TO LAWYER

From: Robert de Bique
Sent: Friday, 28 August 2020 1:06 p.m.
To: **s9(2)(a) of the OIA**
Subject: Application **s9(2)(a) of the OIA** - Colin Rath [IN-CONFIDENCE:RELEASE EXTERNAL]

Dear **s9(2)(a) of the OIA**

Please see the attached letter outlining our approval decision regarding Colins Entrepreneur Work visa (Renewal) application.

Please note that the two dependent children have visas valid for one month with in the validity of there passports.

Kind Regards
Robert de Bique

29/10/2021

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BUSINESS IMMIGRATION SPECIALIST

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Ministry of Business, Inovation and Employment

Robert.De-Bique@mbie.govt.nz | Telephone +64 9 9282185
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NZBN 9429000106078

Date/Time Created: 28/Aug/2020 01:16 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Final letter printed - BMB37, Entrepreneur Work Visa renewal approval - 28/08/2020
1:16:43 p.m.

Date/Time Created: 28/Aug/2020 01:25 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

Physical letter placed on file and sent via standard mail to Advisor.

Date/Time Created: 28/Aug/2020 01:26 PM
Officer: de Bique, Robert
Branch: Wellington Business Unit
Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

File placed in new to online queue.

Date/Time Created: 28/Aug/2020 01:31 PM

Officer: de Bique, Robert

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

File placed in returned to online queue.

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Released under the Official Information Act 1982

Out of scope

Date/Time Created: 18/Jan/2021 02:27 PM
Officer: Dean, Jameel
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: [REDACTED]
Client Name: Rath, Colin David

EMAIL CORRESPONDENCE WITH LIA RE: SUBMITTING A BUSINESS APPLICATION WITHOUT MANDATORY DOCUMENTS - PLEASE DISCUSS WITH JAMEEL DEAN

From: Jameel Dean
Sent: Monday, 18 January 2021 2:25 PM
To: [REDACTED]
Subject: RE: Entrepreneur Residence Visa - Colin Rath [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi [REDACTED], I hope you are well.

Your request appears reasonable so please send it through and I'll take a closer when the file gets here. Please place a copy of this email with the application.

Regards,

Jameel Dean
IMMIGRATION MANAGER

29/10/2021

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National Documentation Office (NaDO)|Border and Visa Operations
Immigration New Zealand
Ministry of Business, Innovation & Employment

Jameel.Dean@mbie.govt.nz | Telephone: +64 (9) 984 3195
Laidlaw House, Level 3, 20 Amersham Way, Manukau, Auckland 2241
NZBN 9429000106078

From: Mathew Harrington <Mathew.Harrington@mbie.govt.nz>
Sent: Monday, 18 January 2021 1:46 PM
To: s9(2)(a) of the OIA [REDACTED] Jameel Dean
<Jameel.Dean@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/ s9(2)(a) of the OIA [IN-
CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA [REDACTED]

Apologies for the delay in response. First day back in the office ?

I'll leave Jameel to respond to your request at the application will be received and process by NaDO.

Kind regards,

Mathew Harrington (he/him)
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

mathew.harrington@mbie.govt.nz | Telephone: +64 (04) 896 5559 | Mobile: s9(2)(a) [REDACTED]

www.immigration.govt.nz

NZBN 9429000106078

From: s9(2)(a) of the OIA [REDACTED]
Sent: Friday, 15 January 2021 2:02 PM
To: Mathew Harrington <Mathew.Harrington@mbie.govt.nz>; Jameel Dean
<Jameel.Dean@mbie.govt.nz>
Subject: Entrepreneur Residence Visa - Colin Rath C/No s9(2)(a) of the OIA [REDACTED]

Hi Mathew

Happy New Year!

I have just tried to call you to discuss the above applicant but couldn't get through.

Very briefly, the applicant was granted an Entrepreneur Work Visa to own and operate a vineyard in North canterbury. To purchase the land the applicant required Overseas Investment Approval (OIO); this request was approved in January 2018.

The applicant has meet the objectives of his Entrepreneur Work Visa application so we're in the process of submitting his Residence Visa application.

I am contacting you as the applicant and s9(2)(a) ordered US Birth Certificates prior to Christmas however the original documents have not arrived in New Zealand due to delays with international couriers as a result of Covid19. We have the application ready to submit, the only outstanding document is the original birth certificates (electronic copies have been received)

I am contacting you to see if this Residence Visa application can be accepted with the electronic copies of the birth certificates?

The reason for this request relates to the OIO approval; the applicant must submit his Residence Visa application by today 15 January 2021 or he will incur a fine from the OIO. We're trying to avoid the applicant receiving this fine.

I have attached the tracking receipt for your reference.

I have also attached communication with the OIO which confirms the fine which will be imposed.

I have waited to the last minute in the event the courier arrives but unfortunately it has not.

Considering the above, can you accept the application pending the arrival of the original birth certificates?

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

29/10/2021

204 of 261

s9(2)(a)

Website: www.malcolmpacific.com

Date/Time Created: 20/Jan/2021 02:11 PM
Officer: Nangaiti, Joanna
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

Application created

Date/Time Created: 20/Jan/2021 02:11 PM
Officer: Nangaiti, Joanna
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant RATH, COLIN DAVID
Is the applicant from a TB risk country?: No. This was entered for the principal applicant RATH, COLIN DAVID
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant RATH, COLIN DAVID

Date/Time Created: 27/Jan/2021 02:58 PM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

Case Manager changed from: NADO, Residence Entrepreneur RV
Case Manager changed to: Miles, Alyssa
Case Manager changed by: Miles, Alyssa

Date/Time Created: 28/Jan/2021 10:41 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

s9(2)(a) of the OIA

Date/Time Created: 28/Jan/2021 10:41 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

s9(2)(a) of the OIA

Date/Time Created: 28/Jan/2021 10:42 AM

Officer: Miles, Alyssa

Branch: Northern Region Documentation Branch

Type: Health Notes

Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

s9(2)(a) of the OIA

Date/Time Created: 28/Jan/2021 10:42 AM

Officer: Miles, Alyssa

Branch: Northern Region Documentation Branch

Type: Health Notes

Client Id: [REDACTED]

Client Name: Rath, Colin David

s9(2)(a) of the OIA

Date/Time Created: 28/Jan/2021 11:17 AM

Officer: Miles, Alyssa

Branch: Northern Region Documentation Branch

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

s9(2)(a) of the OIA

Date/Time Created: 28/Jan/2021 11:17 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

Communication address added: Level 5, s9(2)(a) - Malcolm Pacific
Auckland Limited - 2 Kitchener Street, Auckland, New Zealand, 1010 s9(2)(a)
s9(2)(a) Address added in IGMS 28/Jan/2021 11:16 AM.

Date/Time Created: 28/Jan/2021 11:17 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a)
Client Name: Rath, Colin David

Residential address added: s9(2)(a)
s9(2)(a) colin@waiparawinds.co.nz, s9(2)(a) Address added in IGMS
28/Jan/2021 11:16 AM.

Date/Time Created: 28/Jan/2021 11:17 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

Residential address deleted: s9(2)(a)
s9(2)(a) colin@waiparawinds.co.nz, s9(2)(a) . Address deleted in IGMS
28/Jan/2021 11:16 AM.

Date/Time Created: 28/Jan/2021 03:52 PM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: [REDACTED]
Application Type: Visa, Resident, Entrepreneur category

Awaiting Birth Certificates.

From: Alyssa Miles
Sent: Thursday, 28 January 2021 3:51 p.m.
To: [REDACTED]
Subject: FW: Entrepreneur Residence Visa - Colin Rath C/No [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Good Afternoon [REDACTED],

Thank you for your email and for keeping us updated regarding the birth certificates.

I have been allocated the application for lodgement and will wait to receive the birth certificates.

Yours sincerely,

Alyssa Miles
SENIOR SUPPORT OFFICER

National Documentation Office (NaDO) | Border and Visa Operations
Ministry of Business, Innovation and Employment

Email: alyssa.miles@mbie.govt.nz
Courier Address: c/- DX Mail EP71514, 20 Fairfax Avenue Penrose, Auckland 1061, New Zealand
Postal Address: PO Box 76895, Manukau Auckland 2241

NZBN 9429000106078

From: [REDACTED]
Sent: Wednesday, 27 January 2021 2:36 PM
To: Jameel Dean <Jameel.Dean@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/No [REDACTED] [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Jameel

The Birth Certificates for the above applicant s9(2)(a) have been delivered to my office. I will courier them to NADO today so that they can be attached to the Entrepreneur Residence Visa application.

Thanks for your help with this,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
s9(2)(a)
Website: www.malcolmpacific.com

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Date/Time Created: 29/Jan/2021 03:09 PM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

From: s9(2)(a) of the OIA
Sent: Thursday, 28 January 2021 4:26 p.m.
To: Alyssa Miles
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/s9(2)(a) of the OIA [IN-CONFIDENCE:RELEASE EXTERNAL]

Thanks Alyssa; they were couriered to your office yesterday so should arrive soon.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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Date/Time Created: 02/Feb/2021 11:01 AM
Officer: Limoni, Mera
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

*****PLEASE COLLECT FROM
GPS*****

RECEIVED ON: 29/01/2021
PLACED IN: RES OVERS TRAY - GPS
FORWARDED TO: ALYSSA.M - NADO

DOCUMENTS INCLUDED:

LIA Letter

Copy of US Birth Certs

Date/Time Created: 03/Feb/2021 08:56 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

Documents in previous note received and attached to application.

LIA Letter x 1
Certified copy of USA Birth Certificates x 2

Date/Time Created: 03/Feb/2021 09:00 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

HEALTH:

s9(2)(a) of the OIA

Date/Time Created: 03/Feb/2021 09:04 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln # s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

CHARACTER:

Original FBI PC for PA: Colin David Rath received with application. Issued 10/12/2020 by the United States of America.

NZPC for PA requested.

s9(2)(a) of the OIA

s9(2)(a) of the OIA.

s9(2)(a) of the OIA

Date/Time Created: 03/Feb/2021 09:32 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

Final letter printed - V7, Standard application acknowledgement letter application has been accepted and will be considered - 3/02/2021 9:32:42 a.m.

Date/Time Created: 03/Feb/2021 09:37 AM
 Officer: Miles, Alyssa
 Branch: Northern Region Documentation Branch
 Type: Application Notes
 Appln #: [redacted]
 Application Type: Visa, Resident, Entrepreneur category

Original documents, acknowledgement letter and fee receipt sent to applicant's LIA at postal address (below) provided in the application form.

s9(2)(a) of the OIA

Sent via NZ couriers. TRACKING NUMBER: [redacted]

DOCUMENTS RETURNED:

Application Fee Receipt x 1

Original Birth Certificate for [redacted] Out of scope [redacted] x 1

Application number: [redacted]

Client number: [redacted]

03 February 2021

Colin Rath

s9(2)(a) of the OIA

Dear Colin Rath

Application for a resident visa for:

Applicant: Date of birth:

Colin David Rath [redacted]

[redacted] s9(2)(a)

Out of scope [redacted] s9(2)(a)

s9(2)(a) of the OIA 13 January 2001

Thank you for your application for a Resident Visa under the Entrepreneur Category. We received your application on the 15th of January 2021. We have accepted your application for processing.

The receipt for your fee and immigration levy is attached.

Once your application is allocated, the immigration officer will contact you to advise you of their contact details and will start an initial assessment of your application.

The processing time for an application varies as we will need to verify all the information you have sent us. Your immigration officer will be able to advise you of an approximate processing timeframe for your application, once they have completed their initial assessment. If we need any further information, we will contact you to request it.

What happens if your circumstances change?

You must tell us about any changes to your circumstances that may affect your application for a visa, including:

- changes to the personal or family circumstances of any person included in the application
- changes in circumstances that could affect our assessment of the health or character of any person included in this application
- changes to your address or contact details (including postal address, email address, and telephone number)
- changes to your business or employment
- changes to your study if you are applying for a student visa.

If you do not tell us about changes to your circumstances, we may refuse your visa or you may become liable for deportation. While you are in New Zealand, you must make sure you hold a valid visa at all times.

If the temporary visa you currently hold expires, we are required to stop working on your resident visa application until you obtain a new visa. This can create long delays in processing your resident visa application, so please ensure you hold a valid visa at all times.

You must not remain in New Zealand after your visa expires

You must hold a valid visa at all times while you are in New Zealand. If you do not hold a valid visa you will be in New Zealand unlawfully and you will be liable for deportation. If you do not leave voluntarily before you are served with a deportation order you will face a prohibition period preventing your return to New Zealand in the future.

Your application documents

We are returning the following documents with this letter:

Application Fee Receipt x 1

Original Birth Certificate for **Out of scope**

Make sure you keep your documents and this letter in a safe place for future reference.

Please note that we do not return copies of documents you send to us, or original medical or police certificates.

Contact us

If you have any questions, you can:

call our Immigration Contact Centre on 0508 55 88 55 or 09 914 4100, or for those outside of New Zealand +64 9 914 4100, or

find answers to frequently asked questions or email us your enquiry at

<http://kb.immigration.govt.nz>

You will need to tell us your application and client numbers (you will find these at the top of this letter). Please have them with you and be ready to quote them if you contact us.

Yours sincerely

Alyssa Miles
Senior Support Officer
Immigration New Zealand

Date/Time Created: 03/Feb/2021 09:41 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

Application forwarded to Porirua:

DOCUMENTS - Codafile x 1
Cover letter x 1
INZ 1056 x 1
Cert PPT x 5
Cert BC x 5
Original USA PC x 3
Relationship evidence
Business documents

ORIGINAL DOCUMENTS - Clear File x 1
Original business documents

Date/Time Created: 03/Feb/2021 09:43 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

Health record created against application: s9(2)(a) of the OIA he OIA
Outcome: ASH.

Date/Time Created: 03/Feb/2021 09:44 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Health Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

Duration of intended Stay: Greater than 12 months. This was entered for the principal applicant Rath, Colin
Is the applicant from a TB risk country?: No. This was entered for the principal applicant Rath, Colin
Has the applicant spent more than 3 months in the past 5 years in a TB risk country?: No. This was entered for the principal applicant Rath, Colin

Date/Time Created: 03/Feb/2021 09:46 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

From: Alyssa Miles
Sent: Wednesday, 3 February 2021 9:46 a.m.

To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/No s9(2)(a) of the OIA [IN-
CONFIDENCE:RELEASE EXTERNAL]

Good Morning s9(2)(a) of the OIA

Thought I would keep you updated regarding the application. I have now received the birth certificates which have now been attached to the application.

The application has been lodged and will be sent to a branch for processing today.

Kind Regards,

Alyssa Miles
SENIOR SUPPORT OFFICER

National Documentation Office (NaDO) | Border and Visa Operations
Ministry of Business, Innovation and Employment

Email: alyssa.miles@mbie.govt.nz

Courier Address: c/- DX Mail EP71514, 20 Fairfax Avenue Penrose, Auckland 1061, New Zealand

Postal Address: PO Box 76895, Manukau Auckland 2241

NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Thursday, 28 January 2021 4:26 p.m.
To: Alyssa Miles
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/No s9(2)(a) of the OIA [IN-
CONFIDENCE:RELEASE EXTERNAL]

Thanks Alyssa; they were couriered to your office yesterday so should arrive soon.

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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Date/Time Created: 03/Feb/2021 09:47 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

Electronic NZ Police Certificate ORDERED by on 03-02-2021. This message will be updated once a result is received.

Date/Time Created: 03/Feb/2021 09:48 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes
Appln #: s9(2)(a) of the OIA
Application Type: Visa, Resident, Entrepreneur category

Case Manager changed from: Miles, Alyssa
Case Manager changed to: Queue, Transfer In from Other
Case Manager changed by: Miles, Alyssa

Date/Time Created: 03/Feb/2021 10:00 AM
Officer: Miles, Alyssa
Branch: Northern Region Documentation Branch
Type: Application Notes

Appln ^{s9(2)(a) of the OIA}

Application Type: Visa, Resident, Entrepreneur category

Please note two codafiles and one clear file forwarded to Porirua.

Application forwarded to Porirua:

DOCUMENTS - Codafile x 2

Cover letter x 1

INZ 1056 x 1

Cert PPT x 5

Cert BC x 5

Original USA PC x 3

Relationship evidence

Business documents

ORIGINAL DOCUMENTS - Clear File x 1

Original business documents

Date/Time Created: 11/Feb/2021 10:15 AM

Officer: Opai, Olga

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Resident, Entrepreneur category

Case Manager changed from: Queue, Transfer In from Other Offices

Case Manager changed to: Managed, Queue Wgtn Bus Unit

Case Manager changed by: Opai, Olga

Date/Time Created: 11/Feb/2021 10:16 AM

Officer: Opai, Olga

Branch: Wellington Business Unit

Type: Application Notes

Appln #: ^{s9(2)(a) of the OIA}

Application Type: Visa, Resident, Entrepreneur category

FILE TO MQ / PA is in New Zealand

Received via apps transfer from NaDO

2 x CodaFiles + 1 x clear plastic file with docs placed in MQ-ERV / File Room

Date/Time Created: 18/Feb/2021 09:02 AM

Officer: Chadwick, Josephine

Branch: Wellington Business Unit

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Resident, Entrepreneur category

NZPC Results:

s6(c) of the OIA

s9(2)(a) of the OIA

s9(2)(a) of the OIA

Released under the Official Information Act 1982

s9(2)(a) of the OIA

Released under the Official Information Act 1982

s9(2)(a) of the OIA

Released under the Official Information Act 1982

Date/Time Created: 19/Feb/2021 11:25 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes

29/10/2021

224 of 261

Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

Electronic NZ Police Certificate RECEIVED by BMB Admin Support on 19-02-2021

11:25:01. s6(c) of the OIA

Date/Time Created: 25/Feb/2021 10:10 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

Electronic NZ Police Certificate RECEIVED by BMB Admin Support on 25-02-2021

10:10:01. NZ Police status is No Result. s6(c) of the OIA

Date/Time Created: 25/Feb/2021 02:13 PM

Officer: Chadwick, Josephine

Branch: Wellington

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Resident, Entrepreneur category

Police check Results: David Rath

s6(c) of the OIA

From: QueryMe@police.govt.nz <QueryMe@police.govt.nz>

Sent: Thursday, 25 February 2021 10:09:03 AM

To: NZPC

Subject: RATH/COLIN/DAVID - Agency: s9(2)(a) of the OIA

No Result

QueryME Reference: s9(2)(a) of the OIA
Your Reference: s9(2)(a) of the OIA
Batch: s9(2)(a) of the OIA
Name: RATH/COLIN/DAVID
Date Processed: 25/02/2021 10:08
Result: No Result

This is a response from New Zealand Police to a vetting application. This application is now complete and New Zealand Police have no information to release on this person under the details supplied.

LIMITATIONS ON ACCURACY AND USE OF THIS INFORMATION

1. The accuracy of this Police Vetting Report depends on accurate identification of the Applicant (including aliases) according to the information provided in the Request and Consent Form and the comprehensiveness of Police records.
2. While every care has been taken by NZ Police to conduct a search of Information held or accessed by NZ Police that relates to the Applicant, this report may not include all information relating to the Applicant. Reasons for information being excluded from the report include the operation of laws that prevent disclosure of certain information, or that the applicant's record is not identified by the search process across the Police systems. The Police Vetting Check is a point in time check and should not be relied upon for an unreasonable amount of time.
3. It is important to provide the Applicant with a reasonable opportunity to respond to or validate the information in this report before making any decisions that may adversely affect the Applicant.
4. To the extent permitted by law, all information provided in this report is made available for use on the following conditions:
 - (a) The information in this report should form only one part of any process for determining a person's suitability for any entitlement, profession, undertaking, appointment or employment.
 - (b) This information is provided by NZ Police for vetting purposes and should be stored, retained, used and disclosed in accordance with the Privacy Act 1993 (NZ) or equivalent overseas privacy law. It should not be disclosed to anyone other than the Applicant
5. To the extent permitted by law, NZ Police accepts no responsibility or liability for any error or omission in the information.-----

If you are not the intended recipient of this email, please immediately notify the NZ Police Vetting Service.

For enquiries regarding this service, please email the NZ Police Vetting Service at queryme@police.govt.nz quoting the QueryME reference number.

Regards

NZ Police Vetting Service
PO Box 3017
Wellington 6140

=====

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Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police. If you have received this message in error, please email or telephone the sender immediately

Date/Time Created: 11/Mar/2021 05:22 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --
Customer Services Officer: Tagiilima Fasavalu, Date Recorded: 11/03/2021 5:22:29 p.m.

Client's Licensed Advisor contacted ICC about (Application update)
This contact relates to the Investment product.
The required information was provided.
Status Update Provided

Date/Time Created: 16/Mar/2021 03:37 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Felicia Jeripothula, Date Recorded: 16/03/2021 3:37:17 p.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Returning Resident product.

The required information was provided.

Date/Time Created: 10/May/2021 08:06 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Greer Jobson, Date Recorded: 10/05/2021 8:06:03 a.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Investment product.

The required information was provided.

Provided status update.

Date/Time Created: 17/May/2021 11:57 AM

Officer: Customs User ID, Customs User ID

Branch: National Office

Type: Client Notes

Client Id: s9(2)(a) of the OIA

Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Felicia Jeripothula, Date Recorded: 17/05/2021 11:57:57 a.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Returning Resident product.

The required information was provided.

Date/Time Created: 21/May/2021 12:01 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Jonathon Smith, Date Recorded: 21/05/2021 12:01:51 p.m.

Client contacted ICC about (Application update)

This contact relates to the Worker product.

The required information was provided.

Status update

Date/Time Created: 15/Jun/2021 04:34 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Gabrielle Padilla, Date Recorded: 15/06/2021 4:34:07 p.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Investment product.

The required information was provided.

Provided status update

Date/Time Created: 21/Jun/2021 11:40 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Steven Webber, Date Recorded: 21/06/2021 11:40:47 a.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Investment product.

The required information was provided.

s9(2)(a) from Malcolm Pacific
called via the trusted line

adv of status

Date/Time Created: 15/Jul/2021 02:53 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Alan BITIEFF, Date Recorded: 15/07/2021 2:53:04 p.m.

Client contacted ICC about (Application update)

This contact relates to the Investment product.

The required information was provided.

status update provided

Date/Time Created: 19/Jul/2021 10:51 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Tanya Shymko, Date Recorded: 19/07/2021 10:51:43 a.m.

Client's Licensed Advisor contacted ICC about (Do I have an IO?)

This contact relates to the Investment product.

The required information was provided.

Provided status update.

Date/Time Created: 20/Jul/2021 11:06 AM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Jonathon Smith, Date Recorded: 20/07/2021 11:06:56 a.m.

Client's Licensed Advisor contacted ICC about (Travel movement request)

This contact relates to the Admin - ICC product.

The required information was provided.

General info

Date/Time Created: 10/Aug/2021 12:13 PM

Officer: Lafaele, Susanna

Branch: Wellington

Type: Application Notes

Appln #: s9(2)(a) of the OIA

Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

FILE REQUEST - X2 Coda files (4part) retrieved from online and handed to Flossie.

From: Flossie Smith <Flossie.Smith@mbie.govt.nz>

Sent: Thursday, 5 August 2021 11:41 am

To: INZ File-Coordinator Business Migration Branch <INZFile-

CoordinatorBusinessMigrationBrxxxx@xxxx.xxxx.xx> Subject:

ERV File request 05/08 []

Hey Guys,

Can I please request the following EWV, Renewal and Balance applications

s9(2)(a) of the OIA

Thank you!

Kind regards,

Flossie Smith

SENIOR BUSINESS IMMIGRATION SPECIALIST

Border and Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Flossie.Smith@mbie.govt.nz | Telephone: +64 (04) 901 8628 |
www.immigration.govt.nz

NZBN 9429000106078

Date/Time Created: 10/Aug/2021 12:14 PM
Officer: Lafaele, Susanna
Branch: Wellington
Type: Application Notes
Appln #: ^{s9(2)(a) of the OIA}
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

FILE REQUEST - X1 Coda file retrieved from online and handed to Flossie Smith

From: Flossie Smith <Flossie.Smith@mbie.govt.nz>
Sent: Thursday, 5 August 2021 11:41 am
To: INZ File-Coordinator Business Migration Branch <INZFile-CoordinatorBusinessMigrationBrxxxx@xxxx.xxxx.xx> Subject:
ERV File request 05/08

Hey Guys,

Can I please request the following EWV, Renewal and Balance applications

Colin Rath

s9(2)(a) of the OIA

Thank you!

Kind regards,

29/10/2021

233 of 261

Flossie Smith
SENIOR BUSINESS IMMIGRATION SPECIALIST

Border and Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Flossie.Smith@mbie.govt.nz | Telephone: +64 (04) 901 8628 |
www.immigration.govt.nz

NZBN 9429000106078

Date/Time Created: 16/Aug/2021 09:43 AM
Officer: Smith, Flossie
Branch: Wellington Business Unit
Type: Application Notes
Appln #: b9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Renewal)

EWV and BALANCE and Renewal attached to ERV file in fileroom.

Date/Time Created: 16/Aug/2021 09:44 AM
Officer: Smith, Flossie
Branch: Wellington Business Unit
Type: Application Notes
Appln #: b9(2)(a) of the OIA
Application Type: Visa, Work, Work to Residence, Entrepreneur Work Visa (Interim)

EWV and BALANCE and Renewal attached to ERV file in fileroom.

Date/Time Created: 24/Aug/2021 02:33 PM
Officer: Newbery, Andrew

Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

From: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Sent: Monday, 23 August 2021 2:11 PM
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]
[IN-CONFIDENCE: RELEASE-EXTERNAL]

Hi s9(2)(a) of the OIA

Lockdown is going ok and managing to find work for the team. This is only the second time into lockdown for us so it's taking a little bit of time to get used to.

Unfortunately we can't progress the application until we are allowed back into the office. We are unsure when this will be but it likely to be when we return to Level 2. The below is the formal wording applicants will be getting. I hope this helps and the OIO is welcome to contact me directly if this wish to discuss further.

Due to the current Alert Level Covid-19 restrictions we are unable to progress your paper based application until we are able to return to our offices. The information you have provided has been logged and we will provide further response at a time when we are able to re-enter the office and progress your application. We appreciate your understanding that we cannot, at this time, advise when this might be. Please be assured that we will look to respond and action your request as soon as we are able to.

Regards

Andrew Newbery
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Andrew.Newbery@mbie.govt.nz | Telephone: +64 (04) 901 2005 | Mobile: s9(2)(a) of the OIA

www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Friday, 20 August 2021 8:40 PM

To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]
[IN-CONFIDENCE: RELEASE-EXTERNAL]

Hi Andrew,

I hope lockdown is going ok for you and you're managing to work at home.

I am writing in regards to Colin Rath s9(2)(a) of the OIA, entrepreneur residence visa lodged at the start of this year.

For the approval of the Entrepreneur Work Visa application, the applicant purchased a vineyard, which required OIO consent.

The OIO have requested a timeframe when this application will be processed; a requirement of the consent. I have provided Colin with the generic timeframe form the website and details from your emails below. This appears to be insufficient for the OIO.

I appreciate right now due to lockdown Entrepreneur Residence Visa applications cannot be processed however can you please provide me with a formal response of when you expect to allocate this application so that I can pass onto the applicant/OIO?

Thanks,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

s9(2)(a)

Website: www.malcolmpacific.com

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the company.

From: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Sent: Monday, 19 July 2021 3:13 PM
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]
[IN-CONFIDENCE: RELEASE-EXTERNAL]

Hi s9(2)(a) of the OIA

I had a good weekend and I hope you did too.

I think it is unlikely that this one will get allocated this month- we only have 1 person doing this Residence work and there are 5 in front of this one.

The case officer will be in touch once she gets to it.

Regards

Andrew Newbery
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Andrew.Newbery@mbie.govt.nz | Telephone: +64 (04) 901 2005 | Mobile: s9(2)(a) of the OIA

s9(2)(a) of the OIA
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Monday, 19 July 2021 10:57 AM
To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Morning Andrew,

I hope you had a nice weekend.

I am checking-in to confirm if you're still on track to allocate this application (Colin Rath s9(2)(a) of the OIA this month?

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>

Sent: Tuesday, 22 June 2021 1:16 PM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi

My best guess is this will be looked at in mid-later July. The staff coming back to do Entrepreneur team won't now arrive until Monday 5 July.

Regards

Andrew Newbery
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Andrew.Newbery@mbie.govt.nz | Telephone: +64 (04) 901 2005 | Mobile: s9(2)(a) of the OIA

s9(2)(a) of the OIA

www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Tuesday, 22 June 2021 8:34 AM
To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Andrew,

I hope all is well in Wellington.

I am emailing regarding Colin Rath s9(2)(a) of the OIA, Entrepreneur Residence Visa. Is this far off from being allocated? As part of the Entrepreneur case Colin obtained OIO approval to purchase a Vineyard in Canterbury - the OIO have conditions that he secures a Residence Visa within a certain timeframe. I have written a letter to the OIO stating that the case is lodged and pending allocation however I hope this is not too far off from allocation.

Thanks Andrew,

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand
s9(2)(a)
Website: www.malcolmpacific.com

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From: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Sent: Tuesday, 18 May 2021 3:41 PM
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

It still may be a few weeks away unfortunately as there are a few in front of it and I am still waiting for some more staff. At present it would mean pulling people off the Investor applications and as you know we have been trying to push these through as fast as we can.

Can we say another 4 weeks until this is looked at.

Regards

Andrew Newbery
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Andrew.Newbery@mbie.govt.nz | Telephone: +64 (04) 901 2005 | Mobile: s9(2)(a) of the OIA

s9(2)(a) of the OIA
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Monday, 17 May 2021 2:34 PM
To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi Andrew,

I hope you had a nice weekend. Are you still on track for this to be allocated this week/next week?

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited
Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>

Sent: Thursday, 18 March 2021 3:11 PM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi,

It will be 8-10 weeks from now.

Cheers

Andrew

From: s9(2)(a) of the OIA

Sent: Wednesday, 17 March 2021 5:48 PM

To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>

Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Just to clarify, 8-10 weeks from now, or 8-10 weeks from the date of lodgement?

I appreciate you getting back to me so quickly Andrew, I know your inbox is full!

Regards

s9(2)(a)

Malcolm Pacific (Auckland) Limited

Level 5, 2 Kitchener Street, Auckland 1010, New Zealand

s9(2)(a)

Website: www.malcolmpacific.com

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From: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>

Sent: Wednesday, 17 March 2021 3:57 PM

To: s9(2)(a) of the OIA

Subject: RE: Entrepreneur Residence Visa [IN-CONFIDENCE:RELEASE EXTERNAL]

Hi s9(2)(a) of the OIA

Yes this is me as well. This will be allocated in approx. 8-10 weeks time.

Regards

Andrew Newbery
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Andrew.Newbery@mbie.govt.nz | Telephone: +64 (04) 901 2005 | Mobile: s9(2)(a) of the OIA

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www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA

Sent: Wednesday, 17 March 2021 1:28 PM

To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>

Subject: Entrepreneur Residence Visa

Hi Andrew,

I'm not sure if this is your area, if not can you please forward to the appropriate manager/TA to respond?

I am simply looking for an indication of allocation timeframes for Entrepreneur Residence Visas? I submitted an application at the start of this year (Colin Rath C/No s9(2)(a) of the OIA); the client is waiting me to provide a timeframe of when we can expect allocation.

If you could let me know that would be a great help so that I can manage expectations.

Thanks Andrew,

Regards

s9(2)(a) of the OIA

Date/Time Created: 01/Sep/2021 04:49 PM
Officer: Prakash, Darshika
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Residential address added: s9(2)(a)
colin@waiparawinds.co.nz, s9(2)(a) Address added in IGMS 01/Sep/2021
04:49 PM.

Date/Time Created: 01/Sep/2021 04:49 PM
Officer: Prakash, Darshika
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Communication address added: s9(2)(a)
colin@waiparawinds.co.nz, s9(2)(a) Address added in IGMS 01/Sep/2021

04:49 PM.

Date/Time Created: 01/Sep/2021 04:49 PM
Officer: Prakash, Darshika
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Communication address deleted: s9(2)(a), Malcolm Pacific Limited, POBOX 6219, Wellesley Street, Auckland, New Zealand, 1141, s9(2)(a)
s9(2)(a). Address deleted in IGMS 01/Sep/2021 04:49 PM.

Date/Time Created: 01/Sep/2021 04:49 PM
Officer: Prakash, Darshika
Branch: Northern Region Documentation Branch
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: RATH, COLIN DAVID

Residential address deleted: s9(2)(a)
colin@waiparawinds.co.nz, s9(2)(a) Address deleted in IGMS 01/Sep/2021 04:49 PM.

Date/Time Created: 04/Oct/2021 04:12 PM
Officer: Newbery, Andrew
Branch: Wellington Business Unit
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

From: Andrew Newbery
Sent: Monday, 4 October 2021 4:10 PM
To: s9(2)(a) of the OIA
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/No s9(2)(a) of the OIA

Hi s9(2)(a) of the OIA

I had a nice weekend and I hope you did too.

This application is the very next one to be allocated so it shouldn't be far away.

Regards

Andrew Newbery
IMMIGRATION MANAGER

Border & Visa Operations - Porirua, Immigration New Zealand
Ministry of Business, Innovation & Employment

Andrew.Newbery@mbie.govt.nz | Telephone: +64 (04) 901 2005 | Mobile: s9(2)(a) of the OIA

s9(2)(a) of the OIA
www.immigration.govt.nz
NZBN 9429000106078

From: s9(2)(a) of the OIA
Sent: Monday, 4 October 2021 9:22 AM
To: Andrew Newbery <Andrew.Newbery@mbie.govt.nz>
Subject: RE: Entrepreneur Residence Visa - Colin Rath C/No s9(2)(a) of the OIA

Good morning Andrew,

I hope you had a nice weekend - after yesterday's announcement I suspect all hopes of Auckland moving out of level 3 have been dashed, let's wait and see.

The Entrepreneur Residence Visa for the above applicant was submitted 15 January 2021, in your note below on 19th July you mentioned this was 6th in the queue to be allocated. Colin is looking for a further update on the application of his application.

Is it possible to let me know where this is currently at?

Regards

s9(2)(a) of the OIA

Date/Time Created: 26/Oct/2021 03:37 PM
Officer: Customs User ID, Customs User ID
Branch: National Office
Type: Client Notes
Client Id: s9(2)(a) of the OIA
Client Name: Rath, Colin David

-- Contact Centre Notes Record --

Customer Services Officer: Ferdinand Vera, Date Recorded: 26/10/2021 3:37:51 p.m.

Client's Licensed Advisor contacted ICC about (Application update)

This contact relates to the Investment product.

The required information was provided.

Advsd status update

Out of scope