

IMMIGRATION LAW

INVESTOR (INVESTOR 2) CATEGORY REQUIREMENTS

1. Expression of Interest

This category uses a points system to judge the ability of a potential investor migrant to contribute to New Zealand. Points are claimed on your Expression of Interest (EOI) for age, business experience, English language, and investment funds. All of the EOIs received are placed in a 'pool' – a collection of EOIs from interested people. Those with the highest points total in their EOIs may be invited to apply for residence. This policy is limited to 300 approvals per annum (this is limited to the number of applications rather than the number of people).

An EOI is current for a period of six months from the date of initial submission into the pool, unless no pool selection has occurred within that six-month period. Where this is the case, the EOI is current until such time as a selection from the pool has occurred.

2. Submission of Expression of Interest to the Pool

EOIs submitted in the prescribed manner may be entered into the pool if the person expressing interest:

- has confirmed that health and character requirements for entry to the pool have been met; and
- has claimed points for a minimum overall band score of IELTS 3 for English language ability or has an "English Speaking Background"; and
- has confirmed they are 65 years or younger; and
- has claimed points for a minimum of three years of business experience (based in a lawful business with either five full time employees or an annual turnover of NZ \$1 million); and
- has claimed points for a minimum of NZ \$1.5 million of investment funds; and
- has confirmed that they legally own NZ \$1 million in settlement funds **in addition** to the \$1.5 million investment funds.

3. Checklist for Expressions of Interest

Basic requirements	Note	
<i>Fully completed and signed application form</i>	<p>Complete an <u>Investor (Investor 2 Category) Expression of Interest PDF</u>.</p> <p>Do not provide any documentation at this stage to support the claims made in your EOI.</p> <p>Application fees of \$595.00. This fee is subject to change so please check with us.</p>	

	<p>We will require a copy of your completed EOI form and will provide you with full assistance in completing the EOI. Care needs to be taken as simple mistakes or omissions can potentially have disastrous results. If you are invited to apply for residence, we will need to refer to this form and confirm that your circumstances are the same, or inform INZ of any changes that may affect your application. Our immigration laws (Immigration Act 2009) place a positive obligation on all applicants to disclose any such changed circumstances.</p> <p>Once you have been invited to apply for residence the real work begins as the Business Migration Branch (BMB) / Immigration New Zealand (INZ) will provide a comprehensive checklist requesting substantial evidentiary documentation to confirm the information contained in the EOI.</p>	
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4. Checklist once an Invitation to Apply is issued

Basic requirements	Note	
<i>Fully completed and signed application form</i>	<p>Complete an <u>Investor (Investor 2 Category) Application for Residence (INZ 1166) PDF</u>.</p> <p>If there are any gaps, please write "N/A" (not applicable).</p> <p>Attach two passport-sized photographs for each person included in the application.</p>	
<i>Application fee</i>	<p>Bank draft for NZ\$3,990.00 made out to "Immigration New Zealand" if applying outside New Zealand. If you are applying within New Zealand, the fee is \$4,100.00. This fee is subject to change so please check with us.</p>	
<i>Identity</i>	<p>Each person included in the application must provide:</p> <ul style="list-style-type: none"> • Full Birth Certificate • Certified photocopies of the identity pages of their passport 	
<i>Medicals & X-rays</i>	<p>Each person included in the application is required to supply medical certificates. These medical certificates must have been completed no longer than three months before the application is lodged.</p> <p>(Please note that children under 11 years and women who are pregnant are not required to undergo an x-ray).</p>	
<i>Police reports</i>	<p>Each person included in the application and aged 17 years or older must provide:</p> <ul style="list-style-type: none"> • A police certificate from their country of citizenship; and • Police certificates from any country they have lived in for more than 12 months (collectively) in the past 10 years. <p>All certificates must be no older than six months at the time the application is lodged.</p>	
<i>English Language</i>	<p>Each person included in the application must provide:</p> <ul style="list-style-type: none"> • A certificate (no more than two years old) from the International English Language Testing System (IELTS), showing a minimum overall band score of 3; or • Evidence of an English speaking background. Acceptable 	

	<p>evidence includes either:</p> <ul style="list-style-type: none"> - A certificate or certificates, showing completion of all primary education and a minimum of three years secondary education (that is, the equivalent of New Zealand forms 3 to 5 or year 9 to 11) at schools using English as the language of instruction, or - A certificate showing completion of at least five years of secondary education (that is, the equivalent of New Zealand forms 3-7 or year 9-13) at schools using English as the language of instruction, or - A certificate showing that completion of a course of at least three years duration, leading to the award of a tertiary qualification at institutions using English as the medium of instruction; or <ul style="list-style-type: none"> • Partners and children can provide an IELTS test with a minimum band score of 3, or pre-purchase ESOL tuition. 	
<p><i>Business Experience</i></p>	<p>Original or certified copies of the following will be required:</p> <ul style="list-style-type: none"> • Business registration • Company financial statements • Company tax returns and tax records • Shareholder certificates or Proof of ownership of business • Payslips • Job specifications • Job assessments • Personal tax returns • Letters of appointment • Certificates of service • Strategic planning documents • References from employers on company letterheads stating your position(s) and dates of employment and giving the contact phone number and address of the employer 	
<p><i>Evidence of Ownership of Nominated Investment Funds and/or Assets</i></p>	<p>All documents provided as valuations of assets must be no more than three months old when an application for residence is made and must be produced by a reliable, independent agency. Types of evidence can be and is not limited to:</p> <p>Cash</p> <ul style="list-style-type: none"> • bank books/statements. <p>Property</p> <ul style="list-style-type: none"> • title deeds, and • a recent valuation report for your property from an independent registered valuer, and • mortgage documents or statements showing any liability incurred on the property. <p>Shares/bonds</p> <ul style="list-style-type: none"> • share certificates • share printout reports • share trading cards (if applicable) • a recent statement by a registered share broker or chartered accountant that certifies the current market value of your shares and/or bonds. 	

	<p>Business</p> <ul style="list-style-type: none"> documents of ownership, or financial interest in, the company/business, and an independent valuation by a chartered accountant (or appropriate person), including details of any mortgages, loans, or other financial obligations. <p>Other assets eg. gold bullion</p> <ul style="list-style-type: none"> evidence of ownership, and a recent independent market valuation. 	
<p><i>Evidence of Lawful Earning or Acquiring of Funds and/or Assets</i></p>	<p>List your earnings for at least the last five years. If your funds and/or assets came from earnings from earlier years, appropriate evidence from that time will need to be provided.</p> <p>Acceptable evidence to show that you earned or acquired your funds and/or assets legally may include original or certified copies of the documents listed below.</p> <p>Salaries and bonuses</p> <ul style="list-style-type: none"> personal tax returns or tax certificates pay slips letters of appointment employer certificates bank statements showing receipt of earnings. <p>Business profits and dividends</p> <ul style="list-style-type: none"> business financial statements evidence of ownership or shareholding in the business bank statements showing receipt of dividends. director's drawing's and so on. <p>Property</p> <ul style="list-style-type: none"> evidence of capital appreciation of property, measured as the current value (or sale price if property has been sold) less purchase price, eg solicitor's settlement documents, bank statements showing your receipt of sale proceeds, valuation report for property currently owned. <p>Investments</p> <ul style="list-style-type: none"> bank certificates evidence of share trading profits. <p>Inheritance</p> <ul style="list-style-type: none"> probate and evidence of inheritance from your solicitor. <p>Gifts</p> <ul style="list-style-type: none"> evidence of gifting and evidence to show that your donor earned or acquired those funds and/or assets legally. <p>You need to give us a summary of the evidence that you are providing, showing how this demonstrates your capability to have earned or acquired your funds and/or assets legally.</p> <p>We will of course work with you through this process as collaboratively as we are able.</p>	

	You may be able to provide other types of evidence appropriate to your circumstances. We may also ask you to produce other information to help us determine your application.	
<i>Settlement Funds</i>	Evidence of value and ownership of settlement funds needed if separate and/or not included in the nominated funds and/or assets above. Evidence of settlement funds must also be within three months of application. Valuations of settlement funds must also be done by a reliable, independent agency.	
<i>Evidence of partnership</i>	Refer to our "Requirements for Partners" info sheet contained under the Immigration component of our Practical Law Library (www.queencitylaw.co.nz)	
<i>Evidence of relationship to children and their dependence</i>	<p>For each child you must provide:</p> <ul style="list-style-type: none"> • Birth certificates, and custody or adoption documents if applicable. • Evidence of financial dependence on you and/or your partner if children are 18-24 years of age, such as: <ul style="list-style-type: none"> - School or university enrolment - Receipts showing the paying of daily expenses (such as phone, clothes or food) - Bank account details showing allowance paid - Receipts for big purchases by parents for children (such as travel) 	

Further information and advice

Queen City Law has considerable experience in various Investor Categories that have been in place in NZ for at least a decade and will be able to add significant value to your application.