

APPLICATION FOR RESIDENCE GUIDE

INVESTOR CATEGORY

FOR NZIS USE

Application number	
Client number	
Date received	/ /

Immigration New Zealand
TE RATONGA MANENEDepartment of Labour
TE TARI MAHI

If you have been invited to apply for residence under the Investor Category, the next step to take is to make a residence application by filling in the form *Application for Residence – Investor Category* (NZIS 1126). (Please note that you can't apply for residence under this category unless we invite you to apply. If you haven't been invited to apply for residence, please fill in an *Expression of Interest Form – Investor Category* (NZIS 1127).)

The purpose of this guide is to help you fill in the form *Application for Residence – Investor Category* (NZIS 1126).

Boxes like this **A9** refer to questions in the application form. The guide provides information about the application process and the documentation you need to provide with your application for it to be accepted by Immigration New Zealand.

Please refer to the leaflet *Overview of the Investor Category* (NZIS 1128) for an explanation of the policy and a description of the process for applying for residence under the Investor Category.

HOW TO APPLY FOR RESIDENCE

1. Confirm the information you have already provided

When you submitted your *Expression of Interest Form – Investor Category* (NZIS 1124), you provided us with comprehensive information about yourself, your family, and your ability to meet the criteria for residence under the Investor Category.

We now need you to confirm that all of the information you provided us on your *Expression of Interest Form – Investor Category* (NZIS 1124) is correct and complete (refer back to your photocopy of this form if necessary). If any of the information is now incorrect or incomplete because your circumstances have changed, please provide the new or additional information in the 'Amendments or new information' section of the form.

2. Answer the additional questions

Please answer all the questions in the form or mark as 'non-applicable' or 'N/A'. There are also sections which require your signature and the signatures of other people, including accompanying family members, and anyone who has helped you to complete the form.

3. Enclose the fee

Please ensure you enclose the correct residence application fee. If your application is approved, you will also need to pay a migrant levy. We will advise you of the amount at this time.

4. Enclose supporting documents

You need to provide us with documents that support what you told us in your Expression of Interest. This guide lists documents we will accept as evidence. If your application does not include these documents, we cannot accept it.

5. Submit your form

Send your residence application to:
Residence Application – Investor Category
Business Migration Branch
Immigration New Zealand
PO Box 3705
Wellington, New Zealand

DOCUMENTATION

Additional information

You may provide additional information or documents after your application has been accepted, but you must do so before we make our decision. Once a decision has been made on your application, we won't accept any further information or documents. Make sure you keep us informed of any change in your circumstances or in the information you have provided.

Certified copies

All documents should be either original or certified copies. If you send certified copies, Immigration New Zealand may ask for originals at a later date. Certified copies are photocopies that have been stamped or endorsed by a person who confirms that the copy is a true copy of the original. The person who certifies the copy must be authorised to do so by law in your home country or in New Zealand (eg. a Justice of the Peace, Notary Public, lawyer or Court official).

If you want your original documents returned by secure post, please provide a prepaid, self-addressed, registered envelope or courier pack.

Translations

If any of your documents are not in English, you must have them translated into English by a person who is familiar with both English and the language in which the documents are written. Any translation provided must:

- not be made by your family member or a person with an interest in the outcome of the application
- be certified as a correct translation made by a person familiar with both languages and competent in translation work
- be prepared and certified by a recognised private or official translation service
- be on the official letterhead of the translation service
- bear the stamp or signature of the translator
- be accompanied by the original documents or certified copies, and
- be paid for by the applicant.

Translations may be prepared by:

- the Translation Service of the New Zealand Department of Internal Affairs
- language departments of secondary schools or universities
- reputable people within the community who are known to translate documents accurately
- embassies, if the translation is endorsed with the appropriate embassy seal, or
- any other recognised or official translation service.

Please note: should you be considering applying for New Zealand citizenship at a later date you may want to have your documents translated by a provider approved by the Department of Internal Affairs (www.dia.govt.nz).

GENERAL INFORMATION

False information

If you supply false information or omit relevant information from your residence application, your application may be declined. Please be aware that we may verify any documents you provide.

Before you begin...

This guide refers to other guides that contain health, English language, police certificates, and fees information. You will need copies of these guides before you begin filling in your form:

- *Health Requirements Leaflet* (NZIS 1121)
- *Medical and X-ray Certificate* (NZIS 1007)
- *How to Obtain a Police Certificate* (NZIS 1011)
- *English Language Information* (NZIS 1060)
- *New Zealand Immigration's Guide to Fees* (NZIS 1028)
- *Expression of Interest Guide – Investor Category* (NZIS 1125), and
- *Overview of the Investor Category* (NZIS 1128).

You can pick up copies of these guides from any branch of Immigration New Zealand or print copies off our website (www.immigration.govt.nz).

SECTION A: PERSONAL DETAILS

Much of this section contains details you have provided about you and your family members in your Expression of Interest. Please check these details carefully. If any of them are incorrect, please record the correct details in the section 'Amendments or new information'.

PRINCIPAL APPLICANT

A5 Date of birth

You cannot be approved under the Investor Category if you are aged 55 and over when you make your residence application. Please provide evidence of your age with your application. Suitable evidence of your age includes (but is not limited to) original or certified copies of your:

- birth certificate
- passport or other travel document, or
- identity document (if this contains your birth details).

Taxation and social security numbers

If you have taxation and/or social security numbers in your own country, please provide original or certified copies of these with your application.

A7 Passport or identity document

We need to see your current passport as proof of your identity. If you are outside New Zealand and your passport is unavailable, please provide your birth certificate or other identity document. You must also give the passport details for each family member included in your residence application.

A8 Contact details

A12 You can complete and submit your residence application yourself or you can ask another person – such as a friend, lawyer, or immigration agent – to help you. (We refer to people who help you in this way as your 'agent' or 'representative'.) We give all applicants equal treatment so you are free to choose whether to use an agent.

Please be aware of the following if you do decide to use an agent or representative:

- You can give your own address or your agent's address as our point of contact at A8.

- If you give your agent's address at A8 and indicate at A11 that you want Immigration New Zealand to communicate only with this person, we will send them all correspondence about your residence application.
- If you stop using the services of your agent or representative, or begin using the services of another agent or representative, you will need to tell your agent and tell us in writing or we will continue to deal with them.
- You are responsible for all information and documents you submit with your residence application as well as all information and documents that your agent or representative submits on your behalf.
- We reserve the right to work with you directly.

If anybody else helps you to complete the form – by interpreting, translating, or filling it in for you, for example – they should also sign at Section I of the form (*Declaration for person assisting the applicant*).

A13 Online enquiry

You can check the progress of your application online by selecting 'yes' at A13 and registering for our online client enquiry system. If you register for online enquiry, we will also advise you by email when your residence application has been decided.

If you have elected an agent to act on your behalf at A11, your agent will be sent instructions for online enquiry. Agents who wish to register their clients for online enquiry should enter a unique, self-created reference for their client in the box provided. The reference may be up to 10 characters with no more than three letters. Don't use punctuation marks or symbols. This code will appear in any email notifications to an agent acting on behalf of an applicant.

You must supply evidence of your relationship to all family members who are included in your application. Please provide original or certified copies of full birth certificates for each person included in your application.

A14 **Minimum requirements for recognition of partnerships**

You can include your partner in your application, but for your partner to be granted residence as part of your application you need to provide evidence you meet the minimum requirements for recognition of partnerships. This means you must:

- have been living together in a genuine and stable relationship for at least 12 months, and
- both be aged 18 years or older (or have parental/guardian consent if either of you are aged 16 or 17 years), and
- have met prior to this application being made, and
- not be close relatives according to Schedule 2 of the Marriage Act 1955 or Schedule 2 of the Civil Union Act 2004. (These Acts are available on the internet at www.legislation.govt.nz)

Evidence that you and your partner are *living together* may include (but is not limited to) original or certified copies of documents showing shared accommodation such as:

- joint ownership of residential property
- joint tenancy agreement or rent book or rental receipts
- correspondence (including postmarked envelopes) addressed to both you and your partner at the same address.

If you and your partner have been living separately for any period during your relationship, you should provide evidence of the length of the periods of separation, the reasons for them, and how your relationship was maintained during the periods of separation. Such evidence may include letters, itemised telephone accounts or e-mail messages.

Evidence that your partnership is *genuine and stable* may include (but is not limited to) original or certified copies of documents and any other information such as:

- your marriage certificate
- birth certificates of any children you have had together
- evidence of communication between you both
- photographs of you both together
- documents indicating public recognition of your partnership

- evidence of you and your partner being committed to each other both emotionally and exclusively, for example:
 - joint decision making and planning
 - an exclusive sexual relationship between you and your partner
 - shared parental obligations
 - shared household activities
 - shared companionship/spare time
 - shared leisure and social activities
 - you and your partner appearing to be a couple to outsiders.
- evidence of being financially interdependent, for example:
 - shared income
 - joint bank accounts operated reasonably frequently over a reasonable time
 - joint assets
 - joint liabilities such as loans or credit to purchase real estate, cars, major home appliances
 - joint utilities accounts (electricity, gas, water, telephone)
 - mutually agreed financial arrangements.

Partner's taxation and social security numbers

If your partner has taxation and/or social security numbers in their own country, please provide original or certified copies of these with your application.

A18 **Separated/divorced from parent of children in your application**

If you are separated or divorced from the parent of any child under 16 years of age who is included in your application, you will need to provide evidence that you are legally allowed to remove the child(ren) from any country in which rights of custody or visitation have been granted to the other parent or any other person.

Evidence that you have the right to remove children from their country of residence includes:

- legal documents showing you have custody of the child, and the sole right to decide where they live without any visitation rights being granted to the other parent, or
- a Court order permitting you to remove the child from their country of residence, or
- legal documents showing you have custody of the child and a signed statement from the child's other parent
 - witnessed in accordance with local practice or law
 - which confirms that they agree to allow the child to live in New Zealand if your residence application is approved.

A19 Excluding parent of children in your application

If the other parent of any accompanying children under 16 years of age is not included in your application for residence, you must provide evidence of your right to remove the children from their country of residence.

Dependent children

You can include your children and your partner's children in your residence application if they are single and aged 16 or younger, or are single, aged between 17 and 24 years of age, and have no children of their own. They must be either totally or substantially reliant on you or your partner for financial support, whether or not they are living with your or your partner.

Your partner's children cannot be approved for residence unless you and your partner are able to meet the minimum requirements for the recognition of partnerships (see note regarding A14 above).

Evidence of relationship to your children

To prove your relationship to your children, please include their full birth certificate showing your name as well as your child's name. If you have an adopted child, you must provide evidence of the adoption, whether it is a legal or a customary adoption.

Evidence of a legal adoption is original or certified copies of adoption papers from the country in which the adoption was approved.

Evidence of a customary adoption is a written declaration by you, the adoptive parent, stating:

- that you have adopted the child, and
- the date of the adoption, and
- the country in which the adoption took place.

We may seek confirmation of a customary adoption from the child's biological parents.

Photographs

Attach two recent passport-sized photographs of each person included in your application. All photographs must have the person's name and the date the photograph was taken written on the back.

SECTION B: CHARACTER REQUIREMENTS

Every person included in this application aged 17 years and over must provide police certificates from:

- their country(ies) of citizenship (unless they can provide satisfactory evidence they have never lived there), and
- all countries in which they have lived for 12 months or more in the last 10 years, including countries where their stay has been broken by short departures.

Please refer to our leaflet *How to Obtain a Police Certificate* (NZIS 1011) for details of how to get the necessary documents in your country. Your police certificates must be less than six months old when we receive your application.

SECTION C: HEALTH REQUIREMENTS

Every person included in this application must provide a completed *Medical and X-ray Certificate* (NZIS 1007) with your application. Pregnant women and children under 11 are not required to provide an X-ray unless a special report is required.

In some countries we require the medical examinations to be carried out by one of a selected panel of medical practitioners or institutions. The details of these countries and the names and addresses of the approved panels are listed on our website. Alternatively, you can contact your nearest Immigration New Zealand office.

Please refer to our *Health Requirements Leaflet* (NZIS 1121) for more details on health requirements. Your medical and X-ray certificates must be less than three months old when we receive your application.

SECTION D: ENGLISH LANGUAGE REQUIREMENTS

Every person aged 16 years and over included in your application must meet English language requirements as defined in our leaflet *English Language Requirements* (NZIS 1060). Please provide evidence of how you meet the minimum standard of English with your application.

SECTION E: BUSINESS EXPERIENCE

You must provide the documents you listed in your Expression of Interest to support the claim you have at least five years' business experience. Business experience is defined in the *Expression of Interest Guide – Investor Category* (NZIS 1125).

Evidence

Acceptable evidence of your business experience as a *business owner* includes (but is not limited to) original or certified copies of any of the following documents that are necessary to allow us to make a decision on your application:

- proof of ownership of business
- business registration
- company accounts or tax returns
- shareholder certificates
- descriptions of responsibilities in the business.

Acceptable evidence of your business experience as a *manager* includes (but is not limited to) original or certified copies of any of the following documents that are necessary to allow us to make a decision on your application:

- tax records
- pay slips

- job specifications
- job assessments
- letters of appointment
- certificates of service
- references from employers
 - on company letterhead, and
 - stating the occupation and dates of employment, and
 - giving the contact phone number and address of the employer.

All documents must show the employer's name, the position you held, and the period you worked there. If you worked part time, you must show the actual weekly hours worked.

Acceptable evidence of *New Zealand business experience* must include evidence that the business experience was gained while you were holding a New Zealand work permit or other lawful authority to work.

We may also ask you to produce other information to help us determine your application.

SECTION F: INVESTMENT FUNDS

F1 Ownership of funds

You must provide the documents you listed in your Expression of Interest to support the claims that you own net funds and assets equivalent to the required investment funds.

These documents must support the claims you made in your Expression of Interest about the type and origin of the funds. All documents provided as valuations of assets must be no more than three months old when you make your residence application and must be produced by a reliable, independent agency.

If the funds you have nominated are partly owned by your partner, make sure you have included evidence showing you meet the minimum requirements for the recognition of partnerships (see note regarding A14 above). Remember

that if you do not meet the minimum requirements for recognition of partnerships, or you own the funds with someone who is not your partner and/or dependent child, you may only claim the value of that part of the funds or assets for which you can provide evidence of ownership.

Acceptable evidence of the value and ownership of funds and assets may include:

Cash

- original bank books/statements

Property

- original title deeds, and
- recent valuation reports for your property from an independent registered agent, and
- mortgage documents or statements showing any liability incurred on the property.

Shares/bonds

- share certificates
- share printout reports
- share training cards (if applicable)
- a recent statement by a registered share broker or chartered accountant that certifies the current market share of your shares and bonds.

Gold (bullion)

- original ownership certificates, and
- a recent independent market valuation.

Business

- documents of ownership, or financial interest in, the company/business, and
- an independent valuation by a chartered accountant (or appropriate equivalent) including details of any mortgages, loans, or other financial obligations.

Other assets

- original ownership certificates and
- recent valuation reports from an independent registered agent.

F2 Funds must be acquired legally

You must provide documents showing that you earned or acquired the funds legally, which means in accordance with the laws of the country in which they were earned or acquired.

F3 Your earnings and/or your donor's earnings

You made claims in your Expression of Interest about your earnings for the last five years and those of any donor of funds. Please provide evidence of these statements with your application

We may ask you to produce other information to help us determine your application.

F4 Your bank account details

If you nominated *funds* in your Expression of Interest, you will have provided details of the bank account in which these funds are held. If you nominated assets in your Expression of Interest, you will need to transfer the proceeds of the sale of your assets **directly** into the same bank account before their transfer to New Zealand.

Please provide evidence of this bank account with your application. If your application for residence is approved in principle and you are requested to transfer your funds to New Zealand you will need to provide us with evidence that the transferred funds came from this bank account.

Transfer of funds to New Zealand

If your application for residence is approved in principle, you will be asked to transfer your funds to a New Zealand bank account in your own name (this will be a separate bank account to that described above at F4 unless the funds you nominated in your Expression of Interest are in New Zealand). Please be aware that you need to be able to transfer your funds to New Zealand through the banking system. This is to enable a verifiable record to be established showing the link between the nominated funds and those transferred to New Zealand.

You will need to provide evidence after the funds have been transferred to New Zealand of the link between the assets or funds you have nominated in your Expression of Interest, their liquidation (if necessary), and their transfer to New Zealand. The evidence must link the funds in your New Zealand bank account to the source of the funds nominated in your Expression of Interest and the account described above at F4.

SECTION G: SETTLEMENT AND CONTRIBUTION

To be granted residence under the Investor Category, you need to demonstrate that you have the ability to successfully settle in and contribute to New Zealand. The two main indicators of your ability to settle in and contribute to New Zealand are your intention to make New Zealand your home and your ability to maintain yourself and your family in New Zealand.

G1 Intention to make New Zealand your main home

If your application is approved, you will need to provide evidence at the end of the five-year investment period

showing that you have made New Zealand your main home before we can lift the requirements imposed on your residence permit. You will need to show either that you have spent a significant amount of time in New Zealand or have established a base in New Zealand. Please refer to our online Operational Manual at www.immigration.govt.nz, or our leaflet *Overview of the Investor Category* (NZIS 1128) for more detailed information on meeting the requirements of your residence permit.

G2 Ability to provide for yourself and your dependants

You must provide evidence that you have enough money or assets (in addition to your investment funds) to enable you to look after yourself, your partner and/or your dependent children included in your application for at least two years. We recommend that you look at the *Household Economic Survey*, which provides information on the average weekly household expenditure and is published by Statistics New Zealand (available at www.stats.govt.nz).

We will look at the *Household Economic Survey* as well as any other relevant information, such as the number of dependants and your personal circumstances, in assessing whether you meet this requirement.

G3 Personal resources

Evidence of sufficient resources may include, but is not limited to:

- New Zealand bank account(s) showing a sufficient current balance, or
- offshore bank account(s) showing a sufficient current balance, together with evidence the funds can be accessed from New Zealand, or

- a genuine job offer from a New Zealand employer or evidence of current employment in New Zealand which provides a salary sufficient to support you and any of your accompanying dependent children.

If you are providing evidence of funds (rather than a job offer), you need to provide evidence that you own them, or own them with your partner and/or dependent children who are included in your application. If the funds you have nominated for maintenance are partly owned by your partner, make sure you have included evidence showing you meet the minimum requirements for the recognition of partnerships (see note regarding A14, above).

If you do not meet the minimum requirements for recognition of partnerships, or you own the funds with someone who is not your partner and/or dependent child, you may only claim the value of that part of the funds or assets for which you can provide evidence of ownership.

SECTION H: DECLARATION

You and all the people aged 17 years and over who are included in this application need to sign this section. It is your responsibility to ensure that you and everyone included in your application understand the declarations before you sign.

If you have any questions about the declarations, please contact your nearest Immigration New Zealand branch or our National Contact Centre (if you are in New Zealand) toll-free on 0508 55 88 55.

SECTION I: DECLARATION FOR PERSON ASSISTING THE APPLICANT

Make sure that anyone who has helped you complete the form by explaining, translating, or filling it in, understands and signs the declaration in this section.

SECTION J: PAYMENT DETAILS

You need to pay a fee when you submit your application, unless you are from a fee waiver country. Fee details and fee waiver countries are listed on our website and in our leaflet *New Zealand Immigration's Guide to Fees* (NZIS 1028). Payment must be in New Zealand dollars. No other currency will be accepted.