

Guide to Applying for Residence in New Zealand
under the Entrepreneur and Employee of a
Relocating Business Categories



New Zealand
the right choice



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The numbered boxes in the margin of this guide refer to the relevant question numbers in the form "Application for Residence in New Zealand under Business Categories – Investor, Entrepreneur and Employee of a Relocating Business" (NZIS 1056). The numbered boxes will look like this 

For more information about New Zealand's immigration policies, contact the New Zealand Immigration Service or visit our Internet site at www.immigration.govt.nz

This leaflet is a guide to applying for residence under the Entrepreneur and Employee of a Relocating Business Categories. Use it to help fill in your Application for Residence in New Zealand under the Entrepreneur and Employee of a Relocating Business Categories (NZIS 1056) correctly.

What You Need to Know When Entering New Zealand

New Zealand has implemented a new system, Advance Passenger Screening, designed to enhance the security of New Zealand's borders. If:

- you do not have an appropriate Visa to enter New Zealand; or
- your Visa has expired; or
- your Visa has not been transferred to your current/new passport or the passport being used to enter New Zealand,

you may be refused boarding your flight to return to New Zealand.

To minimise any disruption to your travel plans please ensure your travel documents are up-to-date and that you have the appropriate and current Visa. If you have any questions check out www.immigration.govt.nz

How Do I Apply?

You can apply by completing and submitting the *Application for Residence in New Zealand under the Entrepreneur and Employee of a Relocating Business Categories* (NZIS 1056) yourself, or you can ask another person to assist you.

Online checking of applications. *This service is only available if you are lodging your application at one of our NZIS offices listed in the "More Information and Advice" section of this guide.* You can check the progress of your application online by selecting this option in your application form. If you select this option you will also be advised of the outcome of your application by email.

The NZIS does not require you to have an agent or representative, but if you decide to use the services of an agent or representative you are free to do so.

- Anyone can act as your agent or representative.
- An agent or representative may be a lawyer, a consultant, or any other person (including a friend) whom you hire or ask to help you apply for residence.
- The NZIS treats all applicants equally and does not provide a preferential service to applicants with agents of representatives.

The NZIS deals with agents or representatives in the following ways.

- You may give your own address or the address of your agent or representative as the point of contact for the NZIS. If you choose to give your agent's or representative's address, all correspondence from NZIS, including notices for interviews, and the return of original documents, will be sent to your agent or representative.
- If you stop using the services of your agent or representative, you must cancel your authorisation in writing to the NZIS or the NZIS will continue to deal with them. If you hire a new agent or representative, you will need to provide a new authorisation to the NZIS.
- You are responsible for any documents or information that you submit to the NZIS, or that your agent or representative submits on your behalf.
- If you elect an agent to represent you that agent will be provided with the ability to check your application online.

Lodgement Requirements

The New Zealand Immigration Service requires certain information to be submitted at the time you lodge your application.

The information required is summarised at the end of Section A of the form *Application for Residence in New Zealand under the Entrepreneur and Employee of a Relocating Business Categories* (NZIS 1056).

Photocopies

All documents presented must be in their original form or as certified copies.

Certified copies are photocopies that have been endorsed by a person who is authorised to do so by law. (e.g. Justice of the Peace, Notary Public, lawyer or Court Solicitor).

Translations

All documents not presented in English must be accompanied by an official translation. The translation provided must:

- Be certified by a recognised private or official translation service; and
- Be on official letterhead which includes the name, address and signature of the translator.

Note: Should you be considering applying for New Zealand citizenship at a later date you may want to have your documents translated from a provider approved by the Department of Internal Affairs. Refer www.dia.govt.nz

Documentation

Application form – principal applicant and applicant

The principal applicant must complete the *Application for Residence in New Zealand under the Entrepreneur and Employee of a Relocating Business Categories* (NZIS 1056). The principal applicant is the person who will be assessed against New Zealand Government residence policy.

Any person included in an application for residence is an “applicant”.

The form must be completed in **English**.

If any person assists you to complete the form – for example by interpreting or translating it, or by filling it in for you – they should also sign the form.

Partners

A partner with whom you are living in a genuine and stable relationship may be included in your application. However, for your partner to be approved residence you must have been living in the relationship for a minimum period of twelve months.

You must provide the following evidence that:

- you are living in a genuine and stable relationship, and
- you meet the minimum requirements for recognition of partnership. Please refer to the **Section C** of the *Guide to Applying for Residence in New Zealand* (NZIS 1002) for details of the minimum requirements for recognition of a partnership.

You must also provide evidence of the duration of your relationship.

Dependent children

Dependent children of the principal applicant and/or partner may be included in your application if they:

- are single and aged 17-24 years, and
- have no children of their own, and

- are totally or substantially reliant on the principal applicant or partner for financial support, whether living with them or not;

or

- are aged 16 or younger; and
- are single; and
- are totally or substantially reliant on the principal applicant or partner for financial support, whether living with them or not.

Application Fee

All principal applicants must pay the correct residence application fee. The only exceptions are listed under “fee waiver countries” in our leaflet *New Zealand Immigration’s Guide to Fees* (NZIS 1028).

The fee must be paid when you lodge your application. For details of the current residence application fees please read *New Zealand Immigration’s Guide to Fees* (NZIS 1028), or visit our website www.immigration.govt.nz.

Each person included in the application (principal applicant and dependants) must provide the following documentation:

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1. *Passport/travel document*

If you are unable to supply your passport, you are required to submit a certified copy. If you are in New Zealand, you must show you have a current permit. Any applicant not on a current permit will not have the application considered.

2. *Photographs*

Attach two passport-sized photographs for each person included on the application.

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3. *Police Certificates*

Each person included on the application and aged 17 years or older must provide:

- 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.
- All certificates must be no older than **six months** at the time the application is lodged.

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Please read the *Health Requirements Leaflet* (NZIS 1121) for full details of health information you will need to submit with your application.

5. English language ability

Only Principal applicants are required to meet a minimum standard of English under the Investor, Entrepreneur, and Employees of Relocating Businesses Categories (see below).

Partners or dependent children of the principal applicant may pre-purchase ESOL tuition at the time their residence application is decided.

See the leaflet *English Language Information* (NZIS 1060) for further details.

6. Evidence of relationship to the principal applicant

You must provide evidence that you and your partner:

- are living together in a genuine and stable relationship (for the purpose of obtaining residence, you must have been in this relationship for a minimum of 12 months); and
- meet the minimum requirements for partnership (please see the *Guide to Applying for Residence in New Zealand* (NZIS 1002) for full details of the Partnership policy).

Evidence may include but is not limited to:

- Marriage certificate (if married)
- proof of a shared residence (such as joint mortgage or tenancy agreements or rent book)
- birth certificates of your children
- any evidence of public or family recognition of your relationship
- correspondence (including post marked envelopes) to you and your partner at the same address.
- Photographs of you and your partner together

Minimum requirements for the recognition of partnership

The minimum requirements for recognition of partnership are that you:

- are both aged 18 years or older (or evidence of parental/guardian/other consent if aged 16 or 17 years), and
- have met prior to this application being made, and
- are not close relatives.

You must also provide evidence that your partner:

- is a New Zealand Citizen or resident, and
- is eligible to sponsor, and
- supports your application.

The NZIS may verify these documents.

Please note: If you have been living apart from your partner for any period during your relationship, you must also provide evidence of the length of any periods of separation and the reasons for them.

Children

- **Each person in the application must provide a full birth certificate.** A full birth certificate states both parents.
- Any applicants with adopted children must provide a full adoption order from the home country, along with documents that show the adoption is in accordance with the New Zealand Adoption Act 1955.
- If an applicant is separated or divorced and wishes to bring children to New Zealand they must provide one of the following:
 - i. Custody papers showing the applicant has the sole right to determine the residence of the child; or
 - ii. A court order permitting the applicant to remove the child from his or her country of residence; or
 - iii. Custody papers and a signed statement from the other parent, witnessed in accordance with local practice or law, agreeing to allow the child to live in New Zealand.

Section B Entrepreneur

All documents provided on the establishment of a business in New Zealand must be no more than three months old at the date the residence application is lodged.

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Evidence of establishment

Acceptable evidence of the applicant's establishment of a business in New Zealand may include:

- (i) Certificate of incorporation;
- (ii) Audited accounts;
- (iii) GST records; and
- (iv) Other tax records.

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Description of the business

Applicants are required to give details of their business. Information provided should address the following points:

- A description of the business;
- The industry the business operates in;
- The customers, suppliers and distribution network of the business; and
- The business benefits to New Zealand.

B4

Ownership structure

Applicants are required to provide a chart illustrating the ownership structure of the business including the names of any business partners.

B5

Shareholding

Provide the name and contact details for all the other shareholders in the business.

B6

Role/ involvement

Describe the involvement of the principal applicant in the day-to-day operation of the business.

B8

Profit and loss statement

This is a template for completing the profit and loss statement. The ratios must be calculated using the following formulas:

Gross profit margin (%) = gross profit ÷ revenue x 100

Net profit margin (%) = net profit after tax ÷ revenue x 100

Interest cover (times) = earnings before interest and tax ÷ interest expense.

Section C Employee of a Relocating Business

You should attach to your application a letter to the New Zealand Immigration Service from the Chief Executive Officer (CEO) of the relocating business. The letter should give the following information and be accompanied by supporting documents.

- The name and location of the business intending to relocate to New Zealand;
- A statement as to why it is relocating and what the benefits will be to New Zealand;
- The names and dates of birth of staff (and their immediate family members) in respect of whom ministerial discretion is requested;
- Explanations as to why the employees concerned do not qualify under current immigration policy, countersigned by the staff member concerned;
- The current role in the business of the employee(s), and their intended role in the relocated business; and
- An explanation as to why they are considered to be key staff

The relocation of the business must be supported by New Zealand Trade and Enterprise. Please note that the NZIS will consult with New Zealand Trade and Enterprise to determine their support of your application.

More Information and Advice

You can get more information about the business categories from:

- New Zealand diplomatic and consular offices.
- Any of our NZIS branch offices overseas. We have overseas offices in Apia, Bangkok, Beijing, Hong Kong, Jakarta, London, Moscow, New Delhi, Nuku'alofa, Shanghai, Singapore, Suva, Sydney, Taipei and The Hague.
- Any of our NZIS branch offices in New Zealand, which are located in Auckland, Henderson, Manukau, Hamilton, Palmerston North, Wellington, Christchurch and Dunedin.
- All New Zealand Immigration Service forms and leaflets, and fee information, can be downloaded from the internet at: www.immigration.govt.nz



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