

## EXPRESSION OF INTEREST GUIDE

## INVESTOR CATEGORY

FOR NZIS USE

Application number		
Client number		
Date received	/	/

Immigration New Zealand  
TE RATONGA MANENE



Department of Labour  
TE TARI MAHI



## GENERAL INFORMATION FOR INVESTORS

If you are interested in migrating to New Zealand as an investor, then completing the *Expression of Interest Form – Investor Category* (NZIS 1124) is your first step. We will use the information you provide in this form to assess whether you are likely to meet the criteria for residence under this policy. If you are, we will invite you to make a formal application for residence. You can't apply for residence under this policy unless we invite you to apply.

The purpose of this guide is to help you fill in the *Expression of Interest Form – Investor Category* (NZIS 1124).

Numbered boxes like this **B9** refer to questions in the *Expression of Interest Form – Investor Category* (NZIS 1124).

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.

**False information**

Please be aware that if you supply false information or omit information from the Expression of Interest, any subsequent residence application may be declined and you will lose the right to appeal any decision declining your application.

**Supporting documents**

**Do not** send any supporting documentation with your Expression of Interest. Include only any additional sheets required to complete questions in the form. If you are invited to apply for residence, you will need to supply documentary evidence to support all the claims you make in your Expression of Interest when you apply for residence.

**Before you begin...**

This guide refers to other guides that contain health, English language, and fees information, along with the evidence you will need to provide if you are invited to apply for residence. We recommend you get copies of these guides before you begin filling in your form:

- *Health Requirements Leaflet* (NZIS 1121)
- *English Language Information* (NZIS 1060)
- *New Zealand Immigration's Guide to Fees* (NZIS 1028)
- *Application for Residence Guide – Investor Category* (NZIS 1127), and
- *Overview of the Investor Category* (NZIS 1128).

You can pick up a copy of these guides from any branch of Immigration New Zealand or access them from the forms and fees section of our website ([www.immigration.govt.nz/migrant](http://www.immigration.govt.nz/migrant)).

## HOW TO MAKE AN EXPRESSION OF INTEREST

### 1. Please complete the form in full

You must complete all the questions in the form unless the form specifically directs you to another question or section further on. If a question does not apply to you, mark it 'N/A' or 'Not Applicable'. If you don't answer a question or mark it 'N/A' or 'Not Applicable', we may send the incomplete form back to you.

### 2. Take a photocopy

It is important that you take a photocopy of your completed Expression of Interest form and keep it for your records. If you are invited to apply for residence, you will need to refer to this form and confirm in your residence application that either your circumstances are the same or you have told us of any change that may affect your application.

### 3. Enclose the fee

Please ensure you enclose the correct Expression of Interest fee.

### 4. Submit your form

Send your Expression of Interest to:  
Expression of Interest – Investor Category  
Business Migration Branch  
Immigration New Zealand  
PO Box 3705  
Wellington, New Zealand

## SECTION A: PERSONAL DETAILS

### PRINCIPAL APPLICANT

The principal applicant is the person who will be primarily assessed against the policy criteria. If this is you, you should fill in the Expression of Interest form. Please complete the form in English. 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 H of the form (*Declaration for person assisting the applicant*).

#### A6 Date of birth

You can only be approved residence under the Investor Category if you are aged 54 years or under when you make your residence application.

#### A9 Partnership status

Tick 'married' if you are legally married to your husband or wife. Tick 'partnered' if you have a civil union or de facto partner, whether opposite or same sex. Where the term 'partner' is used elsewhere in the form or guide, it includes both spouses and partners.

### PASSPORT DETAILS

If you (or anybody else included in your Expression of Interest) does not have a passport, but is named in (and will travel on) another person's passport, please state the passport number and the name of that other person when completing the 'passport number' question for the family member who does not have their own passport.

## CONTACT DETAILS

**A13 to A16** You can complete and submit the Expression of Interest form yourself or you can ask another person – such as a friend, lawyer, or immigration advisor – 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 or not to use an agent.

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

- You can give your own address or your agent's address as our point of contact at A13.
- If you give your agent's address at A13 and indicate at A16 that you want Immigration New Zealand to communicate only with this person, we will send them all correspondence about your Expression of Interest.
- If you stop using the services of your agent or representative, or hire a new one, you will need to tell your agent and your assigned case officer in writing (letter, fax or email) or we will continue to deal with them.
- You are responsible for any information you submit with your Expression of Interest as well as any information that your agent or representative submits on your behalf.

- We reserve the right to work with you directly to seek further information or evidence about the information you have provided in your Expression of Interest.

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 H of the form (*Declaration for person assisting the applicant*).

### **A18 Online enquiry**

You can check the progress of your application online by selecting 'yes' at A18 and registering for our online client enquiry system. If you register for online enquiry we will also advise you by email when your Expression of Interest has been decided.

If you have elected an agent to act on your behalf at A16, 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.

## FAMILY DETAILS

### **A19 Minimum requirements for recognition of partnerships**

You can include your partner in your application, but for your partner to be approved residence you must:

- have been living 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 before this application is 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](http://www.legislation.govt.nz).)

### **A24 Separated/divorced from the parent of children in your application**

If you are invited to apply for residence and 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 with your residence application 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.

*Do not provide this evidence with your Expression of Interest.*

### **A25 Parent of children excluded from your application**

If you are invited to apply for residence and 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.

*Do not provide this evidence with your Expression of Interest.*

## DEPENDENT CHILDREN

You can include your children and your partner's children in your Expression of Interest if they are single and aged 16 or younger, or are single, aged between 17 and 24 years of age (inclusive), 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 you 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 A19 above).

## SECTION B: CHARACTER REQUIREMENTS

You and your family need to be of good character to be approved residence under the Investor Category. The questions in this section apply to every person who is included in your Expression of Interest. If you answer 'yes' to any of the questions in this section, make sure you provide a full explanation about the circumstances so we can assess whether you can be granted a waiver.

Questions **B2** to **B3** relate to section 7(1) of the Immigration Act. People described in section 7(1) of the Immigration Act cannot ordinarily be granted a residence permit.

Questions **B4** to **B6** relate to other character requirements. People described in these questions require a character waiver to be granted residence. You can find more details on character waivers in our Operational Manual (see the Administration chapter at A5.25), available online at [www.immigration.govt.nz/migrant](http://www.immigration.govt.nz/migrant).

## SECTION C: HEALTH REQUIREMENTS

You and your family need to be of good health to be approved residence under the Investor Category. The questions in this section apply to every person who is included in your Expression of Interest. If you answer 'yes' to any of the questions in this section, make sure you provide a full explanation of your circumstances so we can assess whether you can be granted a waiver.

Questions in **C1** list medical conditions for which a medical waiver cannot be granted. People with these conditions cannot ordinarily be granted residence in New Zealand.

You can find more details on our health requirements and medical waivers in our *Health Requirements Leaflet* (NZIS 1121).

## SECTION D: ENGLISH LANGUAGE REQUIREMENTS

As the principal applicant, you will need to meet the minimum standard of English language to be approved residence under the Investor Category.

Your partner and/or children aged 16 and over who will be included in your residence application may either meet the minimum standard of English or be willing to pre-purchase English language (ESOL) tuition. **They will need to attend English language classes once they arrive in New Zealand.**

Please refer to the leaflet *English Language Information* (NZIS 1060) for details of how to show you meet the minimum standard of English language.

## SECTION E: BUSINESS EXPERIENCE

You need to have at least five years' business experience to be approved residence under the Investor Category.

### Definitions

- *Business experience* means either owning at least 25 per cent of a lawful business enterprise or having management experience in a lawful business enterprise.
- *Management experience* means having experience in the planning, organisation, and control of the activities of a business.
- A *business enterprise* is an organisation that operates in a commercial environment with the goal of returning a profit and is not set up primarily for passive or speculative purposes.

### Calculating business experience

The length of business experience is determined on the basis of at least 30 hours per week. Credit for part-time business experience may be given on a proportional basis, so if you have gained eight years' business experience at 15 hours per week, this would equate to four years' business experience based on a 30-hour week.

If you have obtained business experience in New Zealand, you must have gained it lawfully while holding a valid New Zealand work permit, or other lawful authority to work.

E2

### Evidence of business experience

If you are invited to apply for residence, you will need to provide evidence of your business experience. Please refer to the *Application for Residence Guide – Investor Category* (NZIS 1127) for a list of acceptable evidence.

*Do not provide this evidence with your Expression of Interest.*

You need to have NZ\$2 million to invest for five years to be approved residence under the Investor Category. The New Zealand Government will hold your funds and have complete control of them during this time. You may apply to withdraw up to half of your funds after two years if you submit a business plan which is approved by Immigration New Zealand. (See *Overview of the Investor Category* (NZIS 1128) or our website for further information about this process.)

### F2 Who must own the funds?

Funds must be owned either by you or jointly by you and your partner and/or dependent children included in your Expression of Interest.

If the funds you are nominating are partly owned by your partner you may only claim the full value if you meet the minimum requirements for the recognition of partnerships (see note regarding A19 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 portion of the funds or assets for which you can provide evidence of ownership.

### F3 Type and origin of funds

If you are nominating funds, make sure you include the name of the bank and the number of the bank account in which the nominated funds are held. Provide full details of this bank account at question F4. If you are nominating assets, make sure you describe the nominated assets sufficiently clearly to enable them to be readily identified.

If you are invited to apply for residence, you will need to provide documentary evidence that the funds you are transferring to New Zealand are from **the same** source as those that you are nominating in your Expression of Interest.

### F4 Bank account details

You must provide bank account details in the space provided. This is the bank account that is currently holding any funds that will form part of your investment funds, and/or will hold funds resulting from the liquidation of any assets you have nominated at F3.

### F5 How did you earn these funds?

Funds must have been earned or acquired legally, which means they were earned or acquired in accordance with the laws of the country. We will not accept your Expression of Interest if the way in which you earned or acquired the funds would have breached New Zealand law if they had been earned or acquired in the same manner in New Zealand.

The funds or assets you nominate must be unencumbered; that is, they cannot be subject to any mortgage, lien, charge, or any creditor claims.

### F6 Were any of these funds gifted to you?

While the funds cannot be borrowed from someone else, you may nominate funds or assets which have been given to you unconditionally and in accordance with local law. Please fill in the table showing your donor's earnings for the last five years.

### Applicants from countries with currency restrictions

Please be aware that if you are invited to apply for residence, you will need to be able to bring the nominated 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. We cannot invite you to apply for residence if you are unable to transfer funds in this way.

## SECTION G: DECLARATION

Please note that while you, as the principal applicant, sign this section, you are signing on behalf of everyone included in your Expression of Interest. It is your responsibility to ensure that you and everyone included in your Expression of Interest understand the declarations before you sign. If you have any questions about the declarations, please contact your nearest Immigration New Zealand branch or the National Contact Centre toll free on 0508 55 88 55 (if you are in New Zealand) or on +64 9 914 4100.

## SECTION H: 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 I: PAYMENT DETAILS

Details on the fee payable to submit with your Expression of Interest are available on our website at [www.immigration.govt.nz](http://www.immigration.govt.nz) 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.

