

Investor Plus (Investor 1 Category) Guide



Information about this guide



The purpose of this guide is to help you complete the *Investor Plus (Investor 1 Category) Application for Residence (INZ 1163)*.

Boxes like this **B2** refer to questions in the application form.

Before you begin...

This guide refers to other guides and forms that contain health, English language, police certificate, and fee information. We recommend you get copies of these guides and forms before you begin filling in your application form:

- *Health Requirements for entry to New Zealand (INZ 1121)*
- *Medical and Chest X-ray Certificate (INZ 1007)*
- Information on how to obtain a police certificate, available on our website www.immigration.govt.nz/policecertificate, and
- *Fees Guide (INZ 1028)*

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

False information

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

Other important matters

If you are approved for residence you must retain your investment funds in acceptable investment(s) in New Zealand for three years, and spend at least 73 days in New Zealand in each of the last two years of your three-year investment period.

How to apply for residence

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 a 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, we may send the incomplete form back to you.

Please complete the form in English.

2. Enclose supporting documents

You will need to provide us with documents that support the claims you have made in the application form. This guide lists the type of documents we will accept as evidence.

You must also attach two identical passport-size (4.5cm by 3.5cm) colour photographs taken within the last six months for each person included in your application. Write the person's name on the back of each photograph.

3. Enclose the fee

Please ensure you enclose the correct application fee.

If your application is approved, you will also need to pay a migrant levy. We will advise you of the amount of the migrant levy at that time.

4. Submit your form

Send your application to:

Business Migration Branch
Immigration New Zealand
PO Box 3705
Wellington, New Zealand

Documents

Certified copies

All documents should be either originals 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).



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.

Importing your car, boat, and/or household items

You may be able to bring your car, boat, and/or household items to New Zealand free of Customs charges. For detailed information on restrictions, and to find out if you must pay Customs charges, see the New Zealand Customs Service website www.customs.govt.nz. For enquiries, email feedback@customs.govt.nz, or telephone:

- 0800 428 786 (within New Zealand)
- +64 9 300 5399 (outside New Zealand).

Additional information

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

Completing Section A

Principal applicant's personal details

The principal applicant is the main person who will be assessed against the policy criteria.

A9 Partnership status

Tick 'Married/in civil union' if you are legally married or in a legal civil union with your partner. Tick 'Partner' if you have a de facto partner (ie a partner with whom you live, but you are not legally married to them, or in a legal civil union with them).

Where the term 'partner' is used elsewhere in the form or guide, it includes both legal and de facto partners.

A11 Taxation and social security numbers

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If you have taxation and/or social security numbers in your own country, please provide evidence with your application.

A12

Completing Section B

Contact details

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

Please be aware of the following if you do decide to use an adviser.

- You can give your own address or your adviser's address as our point of contact at **B2**.
- If you give your adviser's address at **B2** and indicate at **B3** that you want Immigration New Zealand to communicate only with this person, we will send them all correspondence about your residence application. However, there may be times when we want to work directly with you to seek further information or evidence about the information you have provided in your residence application.
- If you stop using the services of your adviser, or begin using the services of another adviser, you will need to tell your former adviser and tell your assigned case officer in writing (letter, fax or email) or we will continue to deal with your former adviser. If you are changing your immigration adviser, please use the form *Immigration Adviser Details (INZ 1160)*.
- You are responsible for all information and documents you submit with your residence application as well as all information and documents that your adviser submits on your behalf.

B5 Adviser reference numbers

Complete this question only if you are using an adviser.

If you are using an adviser they will need to provide a reference code for online enquiries. We will use this code when emailing your adviser about your application. The reference code must be unique for each client, with up to 10 characters, including up to three letters, for example, A123, B1234B, or 1234C567CC. Codes cannot include punctuation marks or symbols.

B6 Online enquiries

You can check the progress of your application online by registering for our online enquiry system. By ticking this option you will also be advised by email when your application has been decided. If you elect an adviser to act on your behalf your adviser will be sent instructions for making an online enquiry.

Completing Section C

Your family

You must provide details of ALL your family, whether they are migrating with you or not.

Please provide original or certified copies of full birth certificates for each person included in your application.

C1

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Partnership status should be described as in **A9**.

C3

C5 Separated/divorced from the parent of children in your application

If you are separated or divorced from the parent of any child(ren) aged under 16 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:
 - which confirms that they agree to allow the child to live in New Zealand if your residence application is approved, and
 - is witnessed in accordance with local practice or law.

C6 Excluding the parent of children in your application

If the other parent of any accompanying child(ren) aged under 16 is not included in your application for residence, you must provide evidence of your right to remove the child(ren) from their country of residence.

Completing Section D Your partner

D1 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 must:

D2

- 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 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).

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 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
- 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.

D11 Your partner's birth certificate

Please provide an original or a certified copy of your partner's full birth certificate.

Completing Section E Dependent children

You can include your children and your partner's children in your application 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 and/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 D1 above).

Evidence of relationship to your children

To prove your relationship to your and/or your partner's children, please include their full birth certificates showing your name and/or your partner's name as well as the 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.

Passport details

If your child(ren) 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 child(ren).

Completing Section F Additional details

The questions in this section apply to every person included in this application aged 17 years and over.

Completing Section G Character

You and your family need to be of good character to be approved residence under the Investor Plus (Investor 1 Category).

G1 Every person included in your 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 website www.immigration.govt.nz/policecertificate for information on how to obtain a police certificate. Your police certificates must be less than six months old when we receive your application.

Questions **G3** to **G16** apply to every person who is included in your application. If you answer 'yes' to any of these questions, make sure you provide a full explanation about the circumstances so we can assess whether you can be granted a character waiver.

Questions **G3** to **G11** relate to section 7(1) of the Immigration Act 1987. People described in section 7(1) of the Act cannot normally be granted a residence permit or issued a residence visa.

Questions **G13** to **G16** relate to other character requirements. People who answer 'yes' to 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), online at www.immigration.govt.nz/migrant.

Completing Section H Health

You and your family need to be in good health to be approved residence under the Investor Plus (Investor 1 Category).

The questions in this section apply to every person who is included in your application. If you answer 'yes' to any of the questions **H2** to **H5**, make sure you provide a full explanation of your circumstances so we can assess your medical condition(s). These questions list medical conditions for which a medical waiver cannot be granted. People with these conditions cannot normally be granted a residence permit or issued a residence visa.

H1 Every person included in this application **must provide** a completed *Medical and X-ray Certificate (INZ 1007)* with your application. Pregnant women and children under age 11 are not required to provide an X-ray unless a special report is required.

Your Medical and X-ray Certificates must be less than three months old when we receive your application.

In most 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 www.immigration.govt.nz. Alternatively, you can contact your nearest Immigration New Zealand office.

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

Completing Section I Investment funds

I1 To be approved under this category you must invest NZ\$10 million in New Zealand for three years.

I2 If you can indicate briefly the kind of investment you propose to undertake, we may be able to provide contacts and information to assist you.

I3 **Ownership of funds and/or assets**

Funds and/or assets must be owned either by you, or jointly by you and your partner and/or dependent children included in your application. If the funds and/or assets 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 Section D). If you do not meet the minimum requirements for recognition of partnerships, or you own the funds and/or assets with someone who is not your partner and/or dependent child, you may only claim the value of that portion of the funds and/or assets for which you can provide evidence of ownership.

14 Type and location of funds and/or assets

You need to state the type, location and value of the funds and/or assets that you are nominating. The value should be net of any mortgages or borrowings.

If you are nominating funds, make sure you include the name of the bank/institution in which the nominated funds are held. If you are nominating assets, make sure you describe the nominated assets sufficiently clearly to enable them to be easily identified.

15 How did you earn these funds and/or assets?

Funds and/or assets must have been earned or acquired legally. We may not be able to approve your application if the way in which you earned or acquired your funds and/or assets would have breached New Zealand criminal law if they had been earned or acquired in the same manner in New Zealand.

16 Please list your earnings for at least the last five years. If your funds and/or assets came from earnings from earlier years, you will need to provide appropriate evidence from that time.

17 Were any of these funds and/or assets gifted to you?

You may nominate funds and/or assets which have been given to you unconditionally and in accordance with local law. You will need to show that your donor earned or acquired those funds and/or assets legally.

If some of your funds and/or assets have been acquired by inheritance you will need to include appropriate evidence to show they were acquired lawfully eg probate and evidence from your solicitor.

18 Evidence of funds and/or assets

You need to provide evidence to support the claims that you own your investment funds and/or assets and have earned or acquired them legally.

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

Cash

- original bank books/statements.

Property

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

Shares/bonds

- 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 bonds.

Business

- 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.

Other assets eg gold bullion

- evidence of ownership, and
- a recent independent market valuation.

These documents must support the claims you make in your application form about the type and location of your 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.

Acceptable evidence to show how you earned or acquired your funds and/or assets may include:

Salaries and bonuses

- personal tax returns or tax certificates
- pay slips
- letters of appointment
- employer certificates
- bank statements showing receipt of earnings.

Business profits and dividends

- business financial statements
- evidence of ownership or shareholding in the business
- bank statements showing receipt of dividends.

Property

- 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.

Investments

- bank certificates
- evidence of share trading profits

Inheritance

- probate and evidence of inheritance from your solicitor

Gifts

- evidence of gifting, and evidence to show that your donor earned or acquired those funds and/or assets legally.

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

Transfer of funds to New Zealand

Please be aware that, if your application is approved in principle, you will need to be able to transfer your nominated investment funds directly to New Zealand through the banking system. This is to enable a verifiable record to be established showing the link between your nominated funds and/or assets (and your earnings), and the funds that are transferred to New Zealand.

Completing Section J

Declaration

The declaration must be signed by you and any partner and dependent children aged 17 years and over who are included in your application. 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 the Immigration Contact Centre toll free on 0508 55 88 55 (if you are in New Zealand) or on +64 9 914 4100.

Completing Section K

Immigration adviser's details

If an immigration adviser has assisted you to complete this form then they must complete this section.

Completing Section L

Declaration by 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.

Completing Section M

Paying your application fee

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 at www.immigration.govt.nz and in our *Fees Guide (INZ 1028)*. Payment must be in New Zealand dollars. No other currency will be accepted.