

British Columbia Provincial Nominee Program

Entrepreneur Immigration Base Category Program Guide

The information in this guide is effective February 2nd, 2021

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In the event of a discrepancy between the BC Provincial Nominee Program website and the Entrepreneur Immigration – Base Category Program Guide, the information in the program guide shall be considered correct. Please check our <u>website</u> regularly to ensure you are using the most up-to-date version of the applicable program guide.

Beware of immigration fraud

We encourage you to protect yourself from immigration fraud. Learn more about <u>protecting yourself from fraud.</u>

BC PNP EI – Base Category Program Guide | Part 1: Introduction & Overview 2

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Updates to this Edition

In an effort to clarify information presented in previous editions of the Entrepreneur Immigration – Base Category Program Guide, there have been updates to the information within the guide.

The following list outlines the updates made to this edition of the Entrepreneur Immigration – Base Category Program Guide:

February 2nd, 2021:

1. Page 23: Minor formatting and punctuation changes to clarify description of ineligible investments.

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Part 1: Introduction & Overview

Sections:

- 1.1. About the EI Base Category Program Guide
- **1.2.** Categories at a glance
- **1.3. Process at a glance**

The BC PNP Entrepreneur Immigration (EI) stream is for experienced entrepreneurs who are ready to invest in and actively manage a business in B.C.

This guide will help you understand and get started on a path towards permanent residency. If approved as a provincial nominee, you and your dependent family members can apply to Immigration, Refugees and Citizenship Canada (IRCC) to become permanent residents of Canada in the Provincial Nominee class. Read this guide carefully before you register and apply online.

You may choose from the following categories of the Entrepreneur Immigration stream:

- Entrepreneur Immigration Base Category: intended for experienced entrepreneurs who intend to establish new businesses or take over and grow existing businesses in B.C.
- Entrepreneur Immigration Regional Pilot: working with regional communities, this
 pilot is intended to attract entrepreneurs to participating regional communities to
 establish new businesses that align with the communities' economic development
 priorities. For more information, refer to the EI Regional Pilot Program Guide available on
 the <u>BC PNP website</u>.
- **Strategic Projects**: for foreign corporations that intend to establish a subsidiary or branch office in B.C. that strategically aligns with their core business. For more information, refer to the <u>BC PNP website</u>.

BC PNP EI – Base Category Program Guide | Part 1: Introduction & Overview

1.1. About the EI – Base Category Program Guide

The BC PNP **Entrepreneur Immigration** – **Base Category Program Guide** is designed to help you understand and navigate the **EI** – **Base Category** including the registration and application processes. It provides complete and comprehensive information about the EI – Base Category eligibility requirements.

This guide also provides details on how to register with the <u>BCPNP Online</u> system and outlines the information you will need to provide. For more information on required documents for the application, please refer to the Entrepreneur Immigration Application Guide available on the <u>BC</u> <u>PNP website</u>.

Please check our <u>website</u> regularly to ensure you are using the most up-to-date version of the EI – Base Category Program Guide. If you require more information, please contact us at <u>en.imm@gov.bc.ca</u>.

If you have already registered or applied to the EI stream, your registration and, if applicable, your application will be scored or assessed against criteria outlined in the Entrepreneur Immigration – Base Category Program Guide that was in effect during the time of registration.

Application process graphics are used throughout this guide. They are intended to highlight which stages of the process are relevant to the section in the guide.

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All dollar figures in this guide are expressed in Canadian dollars.

1.2. Categories at a Glance

	EI – Base Category	EI – Regional Pilot		
	Within last 10 years:	Within last 5 years:		
Experience	3+ years of experience as a business owner-manager, OR, 4+ years of experience as a senior manager, OR, a combination of 1+ year of experience as a business owner-manager and 2+ years of experience as a senior manager			
Net worth	At least \$600,000 At least \$300,000			
Education	Obtained a post-secondary credential, OR, experience as an active business owner-manager for at least three of the last five years with 100% ownership in the business			
Business proposal	You must submit a business proposal to establish a new business or purchase of an existing business in British Columbia	You must submit a business proposal to establish a new business in British Columbia and be referred by an enrolled community		
Ownership percentage	At least one-third (33.33%)	At least 51%		
Investment	Minimum \$200,000	Minimum \$100,000		
Job creation	Must create at least one full-time equivalent job for a Canadian citizen or permanent resident of Canada			
Location	Anywhere in British Columbia	Participating communities		
Exploratory visit required?	No	Yes. You must engage and visit an enrolled community for support before registering		
Language requirement?	Minimum of CLB 4 equivalent in English or French. Must submit a copy of valid language proficiency test results at final report (if not previously submitted)	Minimum of CLB 4 equivalent in English or French. Must submit copy of valid language proficiency test at registration		
Partner with BC PNP co- registrant allowed?	Yes No			
Partner with a local business/person allowed?	Yes			
Registration scores	Total 200 points (120 points for self-declared section; 80 points for business concept). Must score minimum of 32 points in business concept section	Total 200 points (140 points for self-declared section; 60 points for business concept). No minimum business concept score		
Registration timeframe	Registrations are scored within six weeks	Registrations are scored within four weeks		
Net worth verification	Yes, you must obtain a net worth verification rep	ort if you are invited to apply		
Application timeframe	Application decisions are typically made within fo	our months		
Interview required for approval?	Yes			
Minimum amount of time to submit a final report	18 months after issuance of a work permit	12 months after issuance of a work permit		
Fees	Registration: \$300 Application: \$3,500	Registration: \$300 Application: \$3,500		

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1.3. EI – Base Category Process at a Glance

The process at a glance section provides a simple overview of the general process to apply under the Entrepreneur Immigration – Base Category. Complete details of the process are described in <u>Part 3 of this Guide</u>. For other categories, refer to the applicable program guide.

- Preparation and research: in order to apply to the EI Base Category, you must first determine your eligibility based on the category requirements. You are encouraged to conduct an exploratory visit to British Columbia to learn about business opportunities, the local market, and the best community for you to establish your business.
- 2. <u>Registration to the BC PNP</u>: create a profile and submit an online registration to the BC PNP. The registration includes details about your work and/or business experience, education, language ability, your net worth, and information about your proposed business in British Columbia. After your registration is scored, the BC PNP will invite the highest-scoring registrants to submit full applications to the BC PNP. Registrations are typically scored within six weeks. If invited to apply, you will then have four months from the date of your invitation to submit your application.
- **3.** <u>Application to the BC PNP</u>: submit a complete application to the BC PNP. You may be invited to attend an in-person interview in Vancouver, B.C. to discuss details of your application. If your application is approved, you must sign a performance agreement that outlines all of the requirements you must meet in order to be nominated. Applications are typically assessed within four months. If your application is approved, the BC PNP will issue you a letter of confirmation (i.e. a work permit support letter) so you may apply for a work permit to IRCC and come to B.C. to implement your business plan.
- 4. <u>Business establishment (work permit) period</u>: after obtaining a work permit, you can begin to implement your business plan, make your investments, and create jobs. Your spouse or common-law partner may apply for an open work permit.
- **5.** <u>Nomination</u>: after you meet the terms and conditions of your performance agreement, you must submit a Final Report to the BC PNP. If the BC PNP determines you have met the terms and conditions of your performance agreement, you will be nominated for permanent residence. Final Reports are typically assessed within four months.
- 6. <u>Application for permanent residence</u>: you, including your spouse or common-law partner and dependent children (if applicable), may then apply to IRCC to become permanent residents of Canada under the Provincial Nominee class. For permanent residence application processing times, please refer to the <u>IRCC website</u> (Economic Immigration → Provincial Nominees).



Part 2: EI – Base Category Requirements

Sections:

2.1. General Nomination Requirements

- 2.1 (A) Active Management
- 2.1 (B) Residency
- 2.1 (C) Language Proficiency

2.2. Personal Requirements

- 2.2 (A) Immigration Eligibility
- 2.2 (B) Personal Net Worth
- 2.2 (C) Business Owner-Manager and/or Senior Manager Experience
- 2.2 (D) Education

2.3. Business Requirements

- 2.3 (A) Eligible Businesses
- 2.3 (B) Percent Ownership
- 2.3 (C) Franchises
- 2.3 (D) Seasonal Businesses
- 2.3 (E) Ineligible Businesses

2.4. Minimum Investment Requirements

- 2.4 (A) Eligible Personal Investment
- 2.4 (B) Ineligible Investments
- 2.4 (C) Timing of your Investment
- 2.4 (D) External Financing

2.5. Job Requirements

- 2.5 (A) Minimum Job Creation Requirements
- 2.5 (B) Determining the Skill Level of Positions
- 2.5 (C) Job Maintenance Requirements (if applicable)
- 2.5 (D) Requirements at Nomination Stage

2.6. Partnership with a BC PNP Co-Registrant (if applicable)

- 2.7 (A) About Co-Registrants
- 2.7 (B) Total Personal Investment Requirement
- 2.7 (C) Eligible Investment: Purchases of an Existing Business
- 2.7 (D) Job Creation / Maintenance
- 2.7 (E) Adjusting Co-Registrant Registration Scores

You must meet all of the **Entrepreneur Immigration – Base Category** requirements to be nominated by the BC PNP. Note that meeting the minimum requirements does not guarantee that you will be invited to apply or that your application will be approved.

- Carefully review the requirements in the sections below for complete details.
- It is your responsibility to demonstrate that you meet the program requirements.

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• For information on how registrants will be invited to apply, please refer to the process section of this Guide



These factors will be assessed from the application stage through to the nomination stage.

2.1 (A) Active Management

At the application stage, you must demonstrate your intention to actively manage the business. In order to be approved for nomination, you must demonstrate that you have been actively managing your business in B.C.

Active management means you are accountable for the day-to-day operations of the business. Active management must occur at the place of business in B.C.

2.1 (B) Residency

At the <u>application stage</u>: you must demonstrate your intention to **reside within 100 kilometres of the business** (unless otherwise specified in your performance agreement) you intend to operate, and you must demonstrate your intention to reside in B.C. for the majority of time while on a work permit.

In order to be approved for <u>nomination</u>:

- you must demonstrate that you have been residing within 100 kilometres of the business you operate in B.C. when you submit your final report for nomination.
- you must also demonstrate that you have been physically present in B.C. for at least 75 per cent of the time while on a work permit. For example, if you submit your final report 610 days (approximately 20 months) after arriving in B.C. with your valid work permit, you must demonstrate that you have been physically present in B.C. for at least 457 days (approximately 15 months) while operating your business.

2.1 (C) Language Proficiency

By the time you submit your final report, you must have valid language test results to demonstrate a minimum language ability equivalent to Canadian Language Benchmark (CLB) 4. If you have not already done so, you must upload a scanned copy of your valid language test result with your Final Report.

If you claimed language points in your registration, you must upload a copy of your valid language test results with your registration.

You must possess basic English or French language proficiency equivalent to <u>Canadian Language</u> <u>Benchmark (CLB)</u> level 4 or higher in each of the four competencies: listening, speaking, reading and writing.

A benchmark score of 4 is considered Basic Proficiency and means that you can:

- communicate basic needs and personal experience
- follow, with considerable effort, simple formal and informal conversations
- read a simple set of instructions in plain language
- write short messages, postcards, notes or directions

The valid language test results must be from one of the following language proficiency tests administered by a designated testing agency:

- the International English Language Testing System (IELTS) General Training
- the Canadian English Language Proficiency Index Program (CELPIP-General)
- the Test d'évaluation de français (TEF)
- the Test de connaissance du français pour le Canada (TCF Canada)

The following table shows the minimum scores required in each of the designated tests to meet CLB 4:

Minimum Language Test Scores Required					
	Listening	Reading	Writing	Speaking	
IELTS	4.5	3.5	4.0	4.0	
CELPIP	4	4	4	4	
TEF	145	121	181	181	
TCF Canada	342-374	4-5	331-368	4-5	

Test results will be considered valid for the two years from the date of issuance.

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2.2. EI - Base Category: Personal Requirements 2.2 (A) Immigration Eligibility 2.2 (B) Personal Net Worth 2.2 (C) Business Owner-Manager and/or Senior Manager Experience 2.2 (D) Education 1 2. BC PNP Registration 3. BC PNP Application 4. 5. Momination 4. Work Permit 5. Momination

At the registration stage, points will be awarded for personal net worth, business and/or work experience, and education. For detailed information on how points are calculated, please refer to the <u>scoring section of this Guide</u>. These factors will also be assessed during the application stage.

2.2 (A) Immigration Eligibility

Please note that your application will not be approved if you are in Canada and do not have valid immigration status, or if you are working without authorization. The BC PNP will not nominate someone who:

- is prohibited from entering Canada
- has not been lawfully admitted in the country of current residence
- is in Canada and is out of status
 - an individual whose status has expired, and who has not applied for restoration of status within the 90-day eligibility period, will be considered out of status
- is working in Canada without authorization
- has an unresolved refugee claim in Canada, or
- is under a removal order in or outside of Canada

2.2 (B) Personal Net Worth

You must have a minimum of \$600,000 in personal net worth, which includes your spouse or common-law partner, and your dependent children, if applicable. Your personal net worth must be legally obtained and verifiable.

You must disclose all of your personal net worth, including all of your assets and those of your spouse or common-law partner, and your dependent children, and any liabilities including mortgages and personal debts:

- cash
- assets in bank accounts (e.g., personal chequing and savings accounts)
- fixed (term) deposits (redeemable/cashable within one year)
- real property (e.g., real estate, personal and commercial property ownership)
- investments in bonds, stocks and mutual funds
- investments in one or more businesses (current value of your percentage ownership in business(es), excluding stocks held in investment portfolios that have been included under liquid investments above)
- pensions and other assets (i.e. jewelry, collectables, etc.)
- liabilities such as real property mortgage(s) or other debts (e.g., personal loans, credit card debt)

Future inheritances cannot be included in your personal net worth. The share of business or property ownership must be supported by legal documents, such as deeds, shareholder agreements, etc.

The <u>IRCC form Schedule 4A – Personal Net Worth</u> includes details about how to calculate personal net worth.

If you receive an invitation to apply

You will be asked to provide supporting documentation to substantiate ownership, or percentage ownership, positions in any business, as well as equity amounts based on current market values, and outstanding mortgages or other encumbrances for you and your spouse or common-law partner.

You must obtain a net worth verification report from a BC PNP-authorized accounting firm. For more information, please refer to the net worth review section of this guide.

The verification report will be used as part of the BC PNP application assessment process. Notwithstanding the conclusions of the net worth verification report, the BC PNP has sole discretion and responsibility to assess your BC PNP application and may request additional information, supporting documentation or clarification.

Failure to declare your total personal net worth may result in the refusal of your application.

Failure to provide satisfactory evidence to verify your personal net worth and source of funds may result in the refusal of your application.

For information on what documents you must provide for a net worth verification report, please refer to the Entrepreneur Immigration Application Guide available on the <u>BC PNP website</u>.

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2.2 (C) Business Owner-Manager and/or Senior Manager Experience

You must have a minimum of:

• more than three years of experience as an active business owner-manager

If you have performed an active role in the management and operations of a company for which you have held 10 per cent or more ownership during the **past 10 years**. An active role means that you are personally involved in the day-to-day operations of the company and have direct involvement in decision-making.

or

• more than **four years of experience as a senior manager**

If you have worked during the **past 10 years** for a company/organization as an active senior manager (with no business ownership, or business ownership of less than 10 per cent) supervising at least three full-time employees, and your <u>National</u> <u>Occupation Classification (NOC)</u> is <u>Skill Type 0 or Skill Level A</u>.

or

• A combination of at least one year of experience as an active business owner-manager and at least two years of experience as a senior manager.

In general, to be considered as an active owner-manager *or* a senior manager, you primarily:

- manage the organization, a department, subdivision, or component of the organization; or an essential function within the organization
- supervise and control the work of:
 - o other managers or supervisors
 - o professional employees
- have the authority to hire and fire, or recommend these and other personnel actions, such as promotion and leave authorization
- exercise discretion over the day-to-day operations of the activity or function for which the employee has the authority

An active role means that you are personally involved in the day-to-day operations of the company and have direct involvement in decision-making. For example, if you were a shareholder in a corporation and your only responsibility was to attend shareholder meetings, this would not be considered as being an active business owner-manager as you are not involved in the day-to-day operations of the company.

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2.2 (D) Education

You must have one of the following:

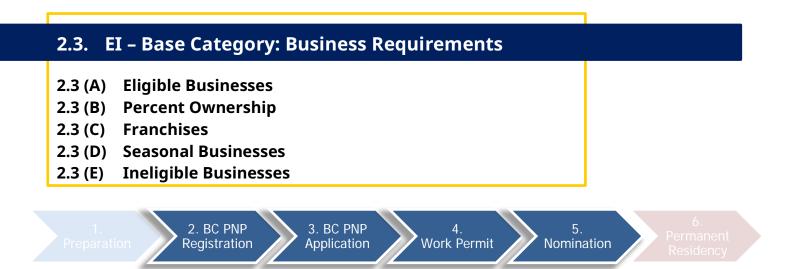
• a post-secondary credential (such as a degree, diploma or certificate from a licensed postsecondary institution).

or

• experience as an active business owner-manager with 100 per cent ownership of the business for at least three of the past five years. The 100 per cent ownership of the business may be shared between you, your spouse or common-law partner, and/or your dependent child(ren).

If you are invited to apply, you will be required to provide evidence of your education, and you may be required to provide an <u>educational credential assessment</u>.

Language training such as English as a second language will not be considered towards meeting the post-secondary requirement.



At the registration stage, you must answer questions related to your business concept to describe your proposed business. Points will be awarded for your business concept, including potential for commercial viability, percentage ownership, and economic benefits. These factors will be assessed starting at the application stage and through to the nomination stage. For detailed information on how points are calculated, please refer to the <u>scoring section of this Guide</u>.

In order to qualify under the Entrepreneur Immigration – Base Category, you must propose to establish a new business or purchase and improve an existing business.

If you are invited to submit an application, you must submit a comprehensive business plan that provides detailed information about your proposed business in B.C. For more information on required documents for an application, please refer to the Entrepreneur Immigration Application Guide available on the <u>BC PNP website</u>.

2.3 (A) Eligible Businesses

The BC PNP will only consider registrations to establish a new business or purchase and improve/expand an existing business that contributes to the economic growth of the province.

The proposed business must be operated for the primary purpose of earning profits by providing products and/or services. Additionally, the business must have strong potential for sustained commercial success.

The BC PNP does not pre-approve or endorse business proposals.

You cannot change or modify your business concept after you submit your registration.

You must decide on the specific type of business you intend to establish or purchase in B.C. before you register. The business structure must be clearly defined. Partnerships with a local partner/business or BC PNP co-applicant(s) are permitted.

For partnerships:

• you must identify partners and their percent ownership in your registration (total ownership must add up to 100 per cent)

For purchasing an existing business:

- you must indicate the specific target business in your registration
- the business must have been operated by the current owner for at least five years

2.3 (B) Percent Ownership

You must demonstrate that you will own at least one-third (33 1/3 per cent) of the business in B.C. If your proposed ownership is less than 33 1/3 per cent, you must make an equity investment of at least \$1 million.

2.3 (C) Franchises

Franchises may be considered as eligible businesses if you can demonstrate that the proposed franchise is well-established (i.e. ability to expand, sound financial track record, and in operation for at least five years). If you are invited to apply, your application must include evidence that you have received support from the franchisor to purchase and operate a franchise location.

If you are proposing to establish a new franchise location or purchase an existing franchise, ensure that you obtain a **disclosure document** from the franchisor before you make a decision to invest. The BC PNP may request a copy of the disclosure document at the application stage. Section 5(4) of <u>The Franchises Act</u> describes the requirements that the disclosure document must fulfil:

- a) prescribed financial statements
- b) copies of all proposed franchise agreements, and other agreements relating to the franchise, to be signed by a prospective franchisee
- c) prescribed statements that have the purpose of assisting a prospective franchisee to make informed investment decisions
- d) other prescribed information
- e) copies of other prescribed documents

Please visit <u>Starting A Franchise Business in B.C.</u> for more information.

The BC PNP will only consider the purchase of an existing franchise location as an eligible business if it includes an expansion/improvement plan that is consistent with franchisor requirements. All other requirements must also be met.

2.3 (D) Agricultural Businesses

If you are proposing to establish a new farm/agricultural business or purchase an existing farm/agricultural business, you must provide copies of the following documents at the time of application:

- An application proposing an agricultural activity should be based on or cover the issues described in the document <u>Taking Stock: A Farm Business Planning Workbook For The</u> <u>Beginning Farmer</u> prepared by the Ministry of Agriculture. For more information, refer to <u>https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/business-marketdevelopment/agrifood-business-management/taking-stock</u>.
- All applications with proposing agricultural activities must include a feasibility statement showing how the proposed business makes economic sense, prepared by a <u>Qualified Business Consultant</u> who is eligible to provide services to applicants of the B.C. Agri-Business Planning and B.C. Indigenous Agriculture Development Programs. Consultants on this list were reviewed and pre-qualified based on professional experience and qualifications. For more information, refer to:<u>http://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs/agribusiness-planning-program</u>

2.3 (E) Seasonal Businesses

The BC PNP will not consider a business proposal for a seasonal business unless the proposed business operates for at least eight months per year. You must also meet all other requirements outlined in this guide.

2.3 (F) Ineligible Businesses

Your registration will be disqualified if you propose an ineligible business. The following types of businesses are ineligible under the BC PNP:

- an immigration-linked investment scheme pursuant to <u>Provincial Immigration Programs</u> <u>Regulation section</u> 6(e) and the <u>Immigration and Refugee Protection Regulations (IRPR)</u> section 87(5)(b) and as defined in IRPR 87(9)
- any business where the terms of investment include a redemption option pursuant to IRPR 87(6)(d)
- any business that may be a passive investment pursuant to IRPR 87(6)(c)

- bed and breakfasts, hobby farms and home-based businesses
- payday loan, cheque cashing, money changing and cash machine businesses
- pawnbrokers
- tanning salons
- DVD rental stores
- coin-operated laundries
- automated car wash operations
- scrap metal recycling
- businesses selling used goods (excluding businesses that provide value-added services such as repairs, refurbishing or recycling)
- real estate brokerage, insurance brokerage or business brokerage
- real estate development activities
- goods trading businesses (e.g. import/export), unless value add is demonstrated
- businesses involved in producing, distributing or selling pornography or sexually explicit products or services, or providing sexually oriented services
- any other type of business that by association would tend to bring the BC PNP or the Government of British Columbia into disrepute

2.3 (G) Business in Regulated Industries

Some industries face significant regulatory requirements in Canada. While many of these highly regulated industry sectors remain eligible for the BC PNP, the entrepreneur must demonstrate that they are aware of, and will be able to meet local, provincial and federal regulatory requirements.

It is unlikely that the BC PNP will approve your application if you do not properly address the regulatory requirements of doing business in the proposed industry.

Furthermore, failure to adequately research and create a plan to address the industry's regulatory requirements may make it difficult or impossible for you to meet your performance agreement obligations.

Examples of highly regulated industries include, but are not limited to:

- Agriculture, agri-food & aquaculture
- Cannabis, tobacco, and alcohol production, distribution or retailing
- Child care, schools and educational institutions
- Financial services and trading
- Forestry and mining
- Healthcare and life sciences
- Oil and gas
- Passenger transportation
- Pharmacology

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- Residential care facilities
- Telecommunications

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2.4. EI – Base Category: Minimum Investment Requirements

- 2.4 (A) Eligible Personal Investment
- 2.4 (B) Ineligible Investments
- 2.4 (C) Timing of your Investment
- 2.4 (D) External Financing



At the registration stage, you must provide information about your proposed investments related to your business concept. Points will be awarded for your total proposed investment and eligible investment. These factors will be assessed starting at the application stage and through to the nomination stage. For detailed information on how points are calculated, please refer to the <u>scoring section of this Guide</u>.

2.4 (A) Eligible Personal Investment

You must make an eligible personal investment of at least \$200,000 in the proposed business within 610 days (approximately 20 months) of arriving in B.C. on a BC PNP-supported work permit. The minimum eligible personal investment of \$200,000 must be derived from your personal net worth.

The proposed investment must be directed to one business location.

Eligible personal investment is the minimum required investment of eligible business expenditures, which may include:

- new equipment purchases
- leasehold improvements
- new marketing costs
- regular operating expenses such as rent, wages, utilities, etc.
- start-up inventory or new inventory related to an improvement/expansion plan
- purchase of existing business

The **eligibility** of a proposed investment is determined by the BC PNP based on whether the expenditure is **essential** to establish and operate a new business or to purchase, improve and operate an existing business.

Consequently, total personal investment may differ from the eligible personal investment under the BC PNP.

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Some investment items may not be eligible while others may be eligible with limitations:

(i) Purchase of an existing business:

The BC PNP may consider as eligible investment the purchase price of the business value up to \$150,000.*

You must commit to make an eligible investment of at least \$50,000 to improve, upgrade and/or expand the business:

- Eligible investments toward improving, upgrading and/or expanding a business may include new capital purchases and equipment, leasehold improvements, introduction of new technology, job creation, etc.
- Improvement/expansion does not include regular operating expenses such as recurring inventory, wages, rent, utilities, or maintaining the same levels of marketing or advertising expenses, legal or professional fees, business licences, etc.
- Establishing a new location or a separate business will not be considered as an eligible improvement or expansion
- The BC PNP will not consider the purchase of any real estate as an eligible investment towards the improvement or expansion of the business

The BC PNP does not require that you sign a purchase agreement or memorandum of understanding if you are purchasing an existing business.

* If you are proposing a partnership with a co-registrant, please refer to the <u>partnership</u> <u>with a co-registrant section</u>.

(ii) Purchase of a business vehicle:

The BC PNP will not consider the purchase of a vehicle as an eligible investment unless you can demonstrate that the vehicle is essential to the business. In which case:

• The BC PNP may consider as eligible investment a maximum of \$25,000 for the purchase of a business vehicle.

(iii) Operating expenses:

Operating expenses refers to regular, recurring monthly expenses that are essential to business operations such as rent, wages and salaries, utilities, advertising, bookkeeping, etc.

The BC PNP may consider eligible operating expenses in the following circumstances:

- For the establishment of a *new* business: A maximum of six months of operating expenses.
- For the purchase of an *existing* business: A maximum of three months of operating expenses.
- For the establishment of a *new franchise* location: A maximum of three months of operating expenses.

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Operating expenses, as recurring expenses required for the business to operate, may not form part of the required eligible personal investment for improvement, upgrading and/or expansion of the business.

(iv) Inventory:

For the establishment of a new business, the BC PNP may consider a reasonable amount of start-up inventory. The reasonableness of the start-up inventory is based on the industry standard, type of products, and size and scope of the proposed business.

A maximum of three months of inventory may be considered eligible.

For the purchase and improvement/expansion of an existing business, the BC PNP may consider a reasonable amount of up to three months of new inventory related to the improvement and expansion plan where a new product is to be sold. The new product must be substantially different than the type of products already sold by the business.

2.4 (B) Ineligible investments

Ineligible investments include, but are not limited to, the following:

- cash and working capital (including reserves and contingency funds)
- wage payments made to yourself and your family members, or other business co-owners
- refundable deposits
- real estate and related fees
- fees and costs related to your immigration application, including:
 - o immigration representative fees
 - personal net worth verification report fee
 - o fees related to the preparation of review engagement financial statements
 - BC PNP application fees

When purchasing an existing business, only the business value portion of the purchase price will be considered as an eligible expense. The cost of real estate or property will not be considered as part of the eligible investment.

2.4 (C) Timing of your Investment

The BC PNP will not consider as eligible any investment made prior to the date you are invited to apply.

The BC PNP strongly discourages registrants and applicants from making any investment or financial commitment prior to signing a <u>performance agreement</u> with the BC PNP and obtaining a valid work permit from IRCC. Any investment made prior to obtaining approval and a valid work permit is solely at your own risk.

2.4 (D) External Financing

The BC PNP requires that you make the minimum eligible personal investment from your personal funds. However, you may also use external financing from a business partner or financial institutions for investments beyond the minimum requirement.

If external financing is a requirement of business operations, you must identify how you will obtain the financing and how it will be applied in your proposed investment.

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2.5. EI – Base Category: Job Requirements

- 2.5 (A) Minimum Job Creation Requirements
- 2.5 (B) Determining the Skill Level of Positions
- 2.5 (C) Job Maintenance Requirements (if applicable)
- 2.5 (D) Requirements at Nomination Stage



At the registration stage, points will be awarded for your proposed number of positions you will employ and their corresponding skill levels. These factors will be assessed starting during the application stage and through to the nomination stage. For detailed information on how points are calculated, please refer to the <u>scoring section of this Guide</u>.

2.5 (A) Minimum Job Creation Requirements

You must create at least one new, permanent full-time equivalent (FTE) job for a Canadian citizen or permanent resident of Canada in the proposed business, within 420 days (approximately 14 months) of arriving in B.C. on a BC PNP-supported work permit.

You must also demonstrate the likelihood of supporting long-term employment of Canadians or permanent residents of Canada in the proposed business.

An FTE job means a position of at least 30 hours per week on average and 1,560 hours per year, worked by one or more employees under continuous employment. FTEs must be Canadian citizens or permanent residents of Canada.

Independent contractors will not be considered as part of your job creation requirement – only direct employees of the proposed business will be considered. Any shareholder with 10 per cent ownership or more of the business will not be considered as part of your job creation/maintenance requirement. FTEs must work at the primary place of business and not remotely.

Employment in British Columbia is regulated by the Employment Standards Act. For more information, please visit the <u>Employment Standards website</u>.

If you are proposing a partnership with a co-registrant, please refer to the <u>partnership with a co-registrant section</u>.

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2.5 (B) Determining the Skill Level of Positions

The BC PNP will assign you points in your business concept if you propose to create or maintain high-skilled jobs that fall under National Occupational Classification (NOC) skill levels 0, A or B. You must provide a rationale for their inclusion.

When determining the position(s) to be created, please refer to the <u>National Occupational</u> <u>Classification (NOC) system</u>.

The NOC system is a classification system used by the Government of Canada to identify occupations and associated skill levels. The four-digit NOC codes also outline job duties and employment requirements.

Proposed wages for the employees must be consistent with the skill level of the positions created. For information on average wages, please refer to information on <u>Work BC</u>.

2.5 (C) Job Maintenance Requirements (if purchasing an existing business)

In addition to the job creation requirements listed above, if you are proposing to purchase an existing business, you must commit to maintain the number of existing jobs in the business, and pay your employee(s) a wage that is commensurate to their skill level.

For information on average wages, please refer to information on WorkBC.

Failure to maintain the number of existing jobs may result in your refusal at the nomination stage.

2.5 (D) Requirements at Nomination Stage

In order to be approved for nomination, you must demonstrate that you have consistently employed the required number of full-time equivalent jobs, continuously, for at least 180 days (six months) before submitting your <u>final report</u>.

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2.6. EI - Base Category: Partnership with a Co-Registrant (if applicable)

- 2.6 (A) About Co-Registrants
- 2.6 (B) Total Personal Investment Requirement
- 2.6 (C) Eligible Investment: Purchases of an Existing Business
- 2.6 (D) Job Creation/Maintenance
- 2.6 (E) Adjusting Co-Registrant Registration Scores

At the registration stage, points will be awarded for your business concept proposing to partner with a BC PNP Co-Registrant. Each Co-registrant will be assessed separately during the application stage. Co-registrant registration scores will be adjusted to match the lowest-scoring co-registrant. For detailed information on how points are calculated, please refer to the <u>scoring</u> section of this Guide.

2.6 (A) About Co-Registrants

You may choose to partner with another **BC PNP co-registrant** under one business proposal under the Entrepreneur Immigration – Base Category.

Each co-registrant must ensure they provide complete information on their background and work experience, their business proposal, as well as provide a rationale for partnering in the proposed business.

Each BC PNP co-registrant must meet the individual eligibility requirements listed in the EI – Base Category Program Guide in order to be entered into the qualified pool.

If the co-registrants are invited to apply, each application will be assessed separately. There is no guarantee that one or both of the co-applicants will be approved.

Co-registrant(s) must submit their registration through BCPNP Online within 30 days of the first co-registrant submitting their registration.

2.6 (B) Total Personal Investment Requirement at Registration Stage

Each co-registrant will receive points based on their proposed total personal investment.

The BC PNP will determine the eligibility of the proposed investment and assign a score in the business concept.

At the time of registration, co-registrants must each indicate what their proposed personal investment will be.

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Each investment item in the investment breakdown must only indicate your own personal investment.

2.6 (C) Eligible Investment: Purchase of an Existing Business

To determine the eligible personal investment for the purchase of an existing business, the BC PNP will recognize up to a maximum of \$150,000 for each co-registrant's share of the purchase price.

Requirements to improve, upgrade and/or expand the business are the same as outlined in the <u>minimum investment requirements</u> section.

2.6 (D) Job Creation / Maintenance

Each co-registrant must create at least one full-time equivalent position for Canadian citizens or permanent residents of Canada.

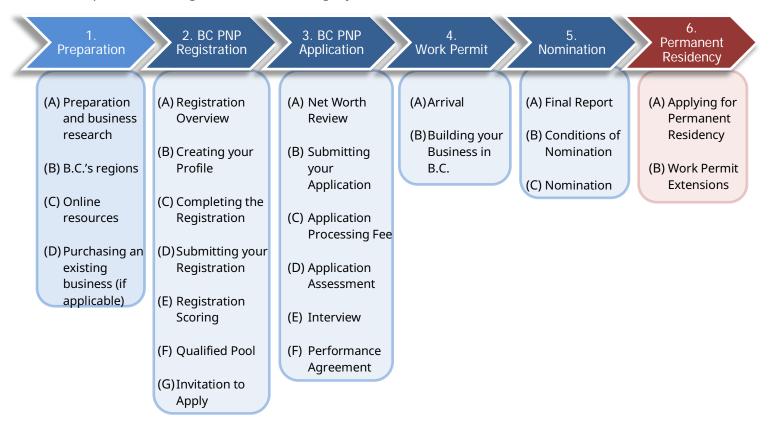
At the time of registration, co-registrants must each indicate the number of full-time equivalent positions they will personally maintain and/or create.

2.5 (E) Adjusting Co-registrant Registration Scores

Co-registrant registration scores will be adjusted to match the lowest scoring co-registrant. For example, two registrants may choose to partner under one business proposal and each receive scores of 154 and 112. The partnership scores will be adjusted so that each co-registrant scores 112 points.

Part 3: EI - Base Category: Step-by-Step ProcessSections:3.1. Preparing before you register3.2. Registering with the BC PNP3.3. Applying to the BC PNP3.4. Work Permit3.5. Nomination3.6. After Nomination: Permanent Residency

This section provides detailed information for the general process to immigrate under the BC PNP Entrepreneur Immigration – Base Category.



3.1. EI – Base Category: Preparation Before You Register

- 3.1 (A) Preparation and business research
- 3.1 (B) B.C.'s regions
- 3.1 (C) Online resources
- 3.1 (D) Purchasing an existing business (if applicable)



3.1 (A) Preparation and business research

Carefully review the <u>program requirements</u> detailed in this guide. We strongly encourage you to make an exploratory visit to B.C. to learn more about opportunities and the local business environment before you register.

During your visit, you can:

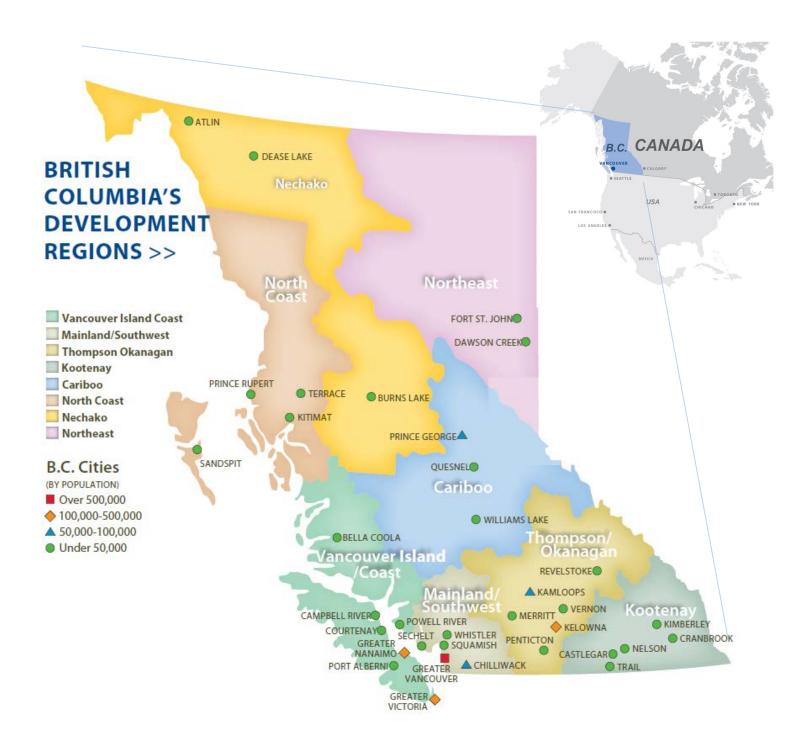
- investigate and evaluate potential business opportunities
- conduct market research
- make local business contacts
- learn more about living and doing business in B.C., and gain a better understanding of our health care and education programs, housing, culture, recreation opportunities, and lifestyles.

If you require a visitor visa (Temporary Resident Visa) to travel to Canada, you <u>must apply online</u> or to a Canadian visa office. The BC PNP does not provide letters of support for Temporary Resident Visa applications to conduct exploratory visits to B.C.

3.1 (B) B.C.'s regions

Each of B.C.'s regions offer different key industries, business opportunities, demographics, and lifestyle opportunities. We encourage you to explore B.C.'s regions to find the best community for your proposed business and your family's settlement.

- B.C.'s communities www.britishcolumbia.ca/invest/communities/
- B.C.'s regions <u>www.welcomebc.ca/Choose-B-C/Explore-British-Columbia/Regions-in-B-C</u>
- Regional profiles <u>www.workbc.ca/Labour-Market-Industry/Regional-Profiles.aspx</u>
- Industry sectors <u>www.britishcolumbia.ca/invest/industry-sectors/</u>



This map is for information purposes only. Click <u>here</u> to view detailed reference maps.

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3.1 (C) Online resources

You many also want to explore the following online resources to learn more about our province:

- <u>Welcome BC</u>: Learn about living, investing, working and studying in B.C. as an immigrant to Canada.
- <u>Small Business BC</u>: This resource centre has information, products, services and support for entrepreneurs at every stage of business development.
- <u>Trade and Invest BC</u>: Learn about the many opportunities to invest in high-growth businesses, discover B.C.'s innovation clusters, connect with B.C's businesses and communities, and explore B.C.'s unique lifestyle.
- <u>Doing Business in British Columbia</u>: A detailed guide on how to establish a business in B.C. as well as information you may want to consider before you develop your business concept.
- <u>Hello BC</u>: British Columbia's official tourist website, with suggestions on things to see and do, places to stay and information on how to get around.
- <u>BC Economic Development Association (BCEDA)</u>: Learn more about the role of economic development in the regions. You may refer to the directory of BCEDA members for specific industry information for a particular B.C. community.
- You may also refer to the <u>Business Improvement Association of BC</u> website, and the <u>BC</u> <u>Chamber of Commerce website</u>.

3.1 (D) Purchasing an existing business (if applicable)

British Columbia, along with many parts of the world, is facing the demographic challenge of an aging population. There are many business owners in B.C. who are considering retirement but they may not have succession plans in place for entrepreneurs to take over their businesses. The EI – Base Category is an option for foreign entrepreneurs to purchase and improve existing businesses in B.C., which may also assist in providing business succession opportunities for these retiring business owners.

The following websites list businesses for sale in British Columbia: <u>Venture Connect</u> and <u>www.britishcolumbia.ca/invest/opportunities/search/</u>. Note that the BC PNP does not preapprove or endorse any business proposal.

If you are interested in purchasing an existing business in British Columbia, you must conduct your own due diligence to determine whether the business meets eligibility requirements. The BC PNP discourages potential registrants or applicants from making any investments or financial commitments prior to signing a <u>performance agreement</u> with the BC PNP and obtaining a valid work permit from IRCC. Any investment made before you obtain a valid work permit is solely at your own risk. The BC PNP does not guarantee that your registration will be selected or that your application will be approved.



The <u>BCPNP Online</u> registration system is an online registration process that is the first step to immigrating to British Columbia as an immigrant entrepreneur. As it is a points-based system, you will receive a score based on the information you provide.

Your score will determine whether you will receive an <u>invitation to apply</u> under the **Entrepreneur Immigration – Base Category**.

The BC PNP reserves the right to make changes to the BCPNP Online registration system without prior notice, including changes to the score grids, the minimum total required in each section, the expiry of registrations in the qualified pool, and the number and frequency of registrants invited to apply.

Please check our <u>website</u> to ensure you are using the most up-to-date version of this guide.

3.2 (A) Registration Overview

Please carefully review the <u>EI – Base Category requirements</u> before completing your registration.

A non-refundable **registration fee of \$300** will be charged at the time of registration submission.

Submitting a registration is not a guarantee that you will be invited to submit an application.

Registrants may only have one active BC PNP registration or application at any given time.

The BC PNP will accept a maximum of 200 registrations per month.

Registrations are typically scored within **six weeks** of submission.

3.2 (B) Creating your Profile

In order to register, you must create a profile with BCPNP Online. This includes your personal email and home address, telephone number and passport information as well as security questions and password. You will receive an email from the BC PNP asking you to confirm your email address and password.

The BC PNP can only provide specific information about your registration and/or application if your email address was authorized in your BCPNP Online profile.

You are responsible for updating your contact information in your profile and ensuring that it is current and up to date.

Once you have completed your profile, click on the *Entrepreneur Immigration stream* button to continue the registration process, then click on the *Entrepreneur Immigration – Base Category* button.

The BC PNP requires that the email address in your BCPNP Online Profile be your personal email address. This is to ensure you receive all correspondence relevant to your file.

3.2 (C) Completing the Registration

When you select the *Entrepreneur Immigration – Base Category*, you will be directed to *My Dashboard*, where you can complete your registration. The registration requires you provide information in all sections, which are listed as tabs across the top of *My Dashboard*.

You are able to copy and paste from another program into text fields. Tables requiring numbers will automatically calculate totals. The system will save your information when you click on any tab and when you click the Next or Previous buttons.

Tips and information

- You do not need to complete the registration in one session. You may return to your registration as often as needed. Inactive profiles and registrations will be deleted after 30 days.
- If you do not meet the minimum eligibility score, you will be directed to *My Dashboard*. Any sections where you did not meet the minimum score or sections where there was an error will be highlighted in red. You may return to the section and correct any errors.
- To avoid lost data due to system time-out or network connection issues, the BC PNP recommends that you compose your business concept in local word processing software and then paste the text into the browser field.
- Once you have paid the fee and submitted your registration, you will not able to make changes or modify any information in your registration.

3.2 (D) Submitting your Registration

When you complete the submit tab, which contains the declaration and confirmation for you and your spouse, and select *Submit this registration form*, the system will calculate your section scores, based on the information you provided. The <u>business concept section</u> will be scored separately by the BC PNP within six weeks.

You **must** upload clear scanned copies of:

• <u>use of a representative form</u>, if applicable *

***Use of a representative form**: if you are using the services of an immigration representative, you must upload a scanned copy of the use of a representative form available on our <u>website</u>. The form must be current and signed by both you and the representative within six months before you submit your registration. For more information about using a representative, please refer to the <u>Use of a Representative section</u>.

If your scores in each section meet the minimum eligibility scores, you will be directed to the electronic payment system to pay the \$300 non-refundable registration fee.

Your registration will only be submitted to the BC PNP after you have paid the registration fee. You will receive a fee payment receipt and acknowledgment.

After you complete your registration, please ensure that you have received a confirmation email that includes your BC PNP registration number. If you do not receive this email within 24 hours, please email the BC PNP at <u>en.imm@gov.bc.ca</u> for further instructions.

The declaration in the online registration and application requires your consent and is the legal equivalent to your signature. As the registrant, you must ensure that you have read and understood the declaration.

It is your responsibility to ensure that your email correspondence was successfully received by the BC PNP. The BC PNP recommends that you enable "delivery receipts" in your email program.

It is your responsibility to check your spam or junk folders for email correspondence from the BC PNP.

3.2 (E) Registration Scoring

The BC PNP will verify the information you provide in your registration and may adjust your selfdeclared score if necessary. The score grids in the <u>EI – Base Category Registration Scoring Guide</u> provide details of how your score will be calculated. Your registration will be assessed according to the program requirements applicable at the time of submitting your registration.

The business concept section will be scored by the BC PNP. The BC PNP will verify the scoring in all sections to finalize your registration score, typically within six weeks.

Certain sections of the registration have minimum eligibility scores. You must meet the minimum scores in each section to be entered into the qualified pool.

EI – Base Category Scoring Overview				
	Scoring Sections	Points		
Self-declared	Experience & Ownership	24		
	Net Worth	12		
	Total Personal Investment	20		
	Jobs	20		
	Regional District	12		
	Adaptability	32		
Self-declared S	120			
Business concept	Commercial Viability	30		
	Transferability of Skills	20		
	Economic Benefits	30		
Business concept SUBTOTAL score		80		
Maximum Score Available		200		

3.2 (F) Qualified Pool

Upon completion of the registration scoring, you will receive an email from the BC PNP indicating your total score and whether you have met minimum requirements to be entered in the qualified pool. You will be able to view your registration score, including scores for each section, in *My Dashboard*.

Registrations that meet the total minimum points in every section will be entered into the qualified pool. Registrations in the qualified pool are valid for 180 days (approximately six months). If you are not invited to apply to the BC PNP within 180 days of qualifying, your registration will expire.

If you are proposing a BC PNP co-registrant, the total score of the lowest-scoring registrant(s) will be applied to all co-registrants.

3.2 (G) Invitation to Apply

(i) Ranking

If you have entered the qualified pool, your final registration score will be ranked along with other registrants in the Entrepreneur Immigration – Base Category. Periodically, the BC PNP will invite the highest-scoring registrants to apply.

In the event of a tie, registrants will be ranked according to the scores in the individual sections in the following order:

- 1. business concept
- 2. job creation
- 3. business/work experience

(ii) Invitation to apply

If you are invited to apply under the EI – Base Category, you will receive an email notification including:

- o instructions on how to complete an EI Base Category application
- o list of authorized accounting firms for the verification of your net worth
- o timelines for application submission

You will have up to 120 days (approximately four months) from the date of invitation to submit a complete application. This allows you time to finalize your business plan and obtain a <u>verification report of your net worth</u> from a BC PNP-authorized accounting firm.

If you receive an invitation to apply, your registration will be removed from the qualified pool.

If you select the 'decline' button in *My Dashboard*, your invitation to apply will be declined and your registration and invitation will be cancelled. Your profile will remain active. You may submit a new registration at any time, however, re-registration does not guarantee another invitation to apply. Registration fees will not be refunded for users who decline an invitation to apply.

The number and frequency of invitations to apply is based on annual nomination allocations and the BC PNP's processing capacity to ensure timely processing of applications.

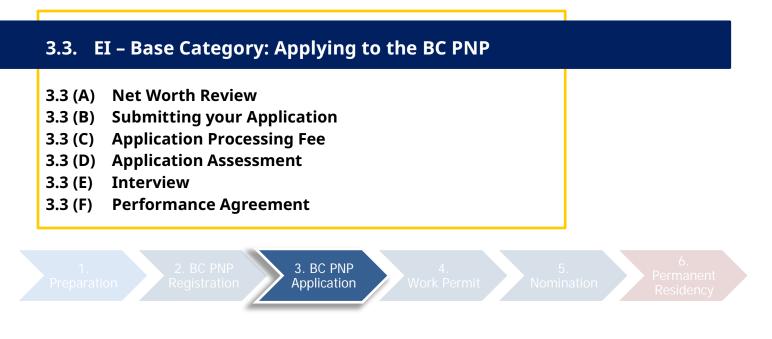
The BC PNP may refuse your application if the information in your application is materially different from your registration.

Information about invitations to apply, including date, number of invitations issued and minimum scores, are posted on the <u>invitations to apply page of our website</u>.

(iii) What if I am not invited to apply?

Registering does not guarantee that you will be invited to apply. The BC PNP will only invite the highest-scoring registrants from the qualified pool of each respective category.

You may wish to improve your score by developing a new business concept, conducting more research into the business environment in B.C., or improving your adaptability and submitting a new registration. You may consider submitting a registration under a different category. You must withdraw your current registration before submitting a new registration.



3.3 (A) Net Worth Review

In order to submit an application, you must submit a **verification report of your personal net worth** from a BC PNP-authorized accounting firm.

(i) What is an "authorized accounting firm"?

You must engage a BC PNP-authorized professional accounting firm to verify your total personal net worth and accumulation of funds before you submit an application to the BC PNP.

An authorized accounting firm is a professional chartered accounting services supplier, who is qualified by the BC PNP, that will complete a verification report of all of your personal net worth.

(ii) Where can I find the list of "authorized accounting firms"?

The list of authorized accounting firms and instructions is included with the invitation to apply.

(iii) How does it work?

- (a) You must have received an invitation to apply before you engage an authorized accounting firm.
- (b) You must enter into an agreement with an authorized accounting firm as soon as possible to complete a review of your total personal net worth. You are responsible for all costs associated with this service.
- (c) You must declare all of your personal net worth and provide supporting documents to the authorized accounting firm. Your personal net worth includes your spouse or common-law partner, and dependent children, if applicable.

- (d) The authorized accounting firm will review your net worth claims and your accumulation of funds through an analysis of your supporting financial documentation. The authorized accounting firm will produce a verification report of your total personal net worth and its legal accumulation. The report will outline the amount that is verifiable, and whether there are any issues that may require further investigation by the BC PNP. The authorized accounting firm may contact you to request additional information.
- (e) When the review is complete, the authorized accounting firm will send you and the BC PNP a copy of the net worth verification report.

(iv) What will I need to provide?

You must provide the authorized accounting firm with:

- o a completed IRCC Schedule 4A Personal Net Worth form, and
- the Section J Accumulation of Wealth Narrative from the Schedule 4A form
- all supporting documentation identified in the Entrepreneur Immigration Application Guide available on the BC PNP <u>website</u>

You are responsible to provide a complete account of your personal net worth and source of funds.

All documents not in English must include copies of certified translations. The copy of the document in the original language and the translation must both be notarized.

Failure to declare your total personal net worth may result in the refusal of your application.

Failure to provide satisfactory evidence to verify your net worth and source of funds may result in the refusal of your application.

(v) What are the details?

The cost of obtaining a verification report will depend on which authorized accounting firm you choose, and the extent and complexity of your net worth.

The amount of time it takes to evaluate your financial documentation and prepare a verification report will vary. However, the authorized accounting firm may take up to 60 days to complete a verification report. Factors such as the volume of financial documentation you provide and the processing capacity of the authorized accounting firm can impact the timing.

The net worth verification report is valid for one year from the date of issuance by the supplier.

The verification report will be used as part of the BC PNP application assessment process.

Notwithstanding the conclusions of the net worth verification report, the BC PNP has sole discretion and responsibility to assess your BC PNP application and may request additional information, supporting documentation or clarification.

Do not engage an authorized accounting firm until you have received your invitation to apply from the BC PNP.

3.3 (B) Submitting your Application

You will have up to 120 days (approximately four months) from the date you are invited to apply to submit a complete application including a verification report of your net worth, all supporting documents and a comprehensive business plan.

Your application must be submitted through *My Dashboard* (refer to your Invitation to Apply and *My Dashboard* for instructions). A **maximum of 50 attachments** can be uploaded to your application.

Attachments cannot exceed 3MB each. Reduce your file sizes and merge files according to type of document.

For more information on submitting your application, including a Business Plan Guide, refer to the Entrepreneur Immigration Application Guide available on the BC PNP <u>website</u>.

Your business plan must demonstrate:

- the proposed business is consistent with your registration business concept; and
- potential for commercial viability under your ownership, including a market entry strategy to show how your proposed business will be successful in British Columbia.

If you plan to purchase an existing business, you must also be able to demonstrate:

- how the business will grow and expand under your management;
- that the business is a going concern (i.e. the business is in operation and is not in receivership at the time of purchase); and
- that the business will generate a profit and can sustain the expanded workforce.

The BC PNP may refuse your application if the information in your application is materially different from what you submitted in your registration.

3.3 (C) Application Processing Fee

You must pay a **\$3,500 non-refundable processing fee**.

3.3 (D) Application Assessment

As per section 6 of the <u>Provincial Immigration Programs Regulation</u>, the BC PNP may approve or decline your application after taking into consideration the following, provided you have met program requirements as described in part 2 of this guide:

- whether your entry will be of benefit to the economic development of B.C.
- your ability and intention to permanently settle and become economically established in B.C.
- whether you have entered, or intend to enter into an immigration-linked investment scheme
- whether the information provided in relation to your application is accurate, complete and reliable
- whether you will provide active and ongoing management of the eligible business from within B.C.

After a review of your application, the BC PNP may either:

- offer you an opportunity to respond to any concerns regarding your application; or
- contact you to attend an in-person interview at our office in Vancouver.

If concerns are not satisfactorily addressed, your application will be refused.

Your application may be refused if the BC PNP determines you made a <u>misrepresentation</u>, which can include providing false or misleading information or concealing relevant information about your application including during your interview.

3.3 (E) Interview

If requested by the BC PNP, you will be required to attend an in-person interview at the BC PNP office in Vancouver. In the interview, you will be expected to describe your business/work experience and answer in-depth questions about your application.

The interview will also be your opportunity to address any concerns that are raised.

A decision on your application will be based on the information you provide up to and during your interview. Any additional or new information after your interview may not be considered, unless requested by the BC PNP.

Interviews are conducted in English only. If you are unable to communicate in English, you must obtain the services of a certified court interpreter. This is to ensure you will be able to clearly communicate to BC PNP program staff. You must submit a <u>use of an interpreter form</u> with a copy of the interpreter's certification a minimum of ten days prior to your scheduled interview.

A certified court interpreter is a member of the <u>Society of Translators and Interpreters of BC</u> (<u>STIBC</u>) or a society belonging to the <u>Canadian Translators</u>, <u>Terminologists and Interpreters</u> <u>Council (CTTIC</u>); or a graduate from the Court Interpreting Certificate Program from Vancouver Community College (VCC).

The interpreter provides direct interpretation during the interview and will not assist you to respond to questions in any way other than direct interpretation of questions and answers.

Your spouse or common-law partner and/or your authorized immigration representative, if applicable, may attend the interview in an observer capacity.

No one else is permitted to be present during the interview. BC PNP co-applicants will be interviewed separately (if applicable).

If you require a Temporary Resident Visa (TRV) to attend the in-person interview, the interview invitation email may be used in support for your TRV application. At its discretion, the BC PNP may issue a maximum of two interview invitation emails. If you are unable to attend your inperson interview, your application will be refused.

3.3(F) Performance Agreement

You will be required to sign a **performance agreement before your application is approved**. The performance agreement outlines the terms and conditions you must meet in order to be considered for nomination.

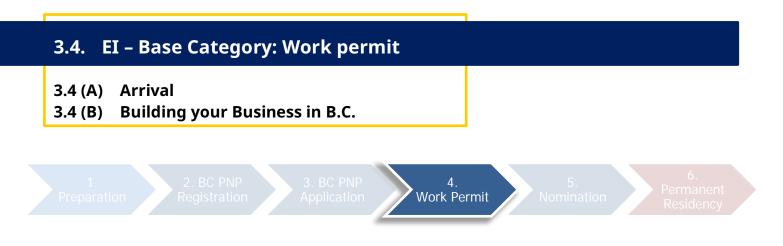
Performance agreements are unique to each applicant and are based on the information provided in the application, business plan, and during the interview.

The performance agreement includes:

- type of business you will own and operate and its location
- eligible investment amounts
- the number and type of positions to be created for Canadians or permanent residents
- active management requirement
- residency requirements
- timeframes within which you must meet these requirements

Important: Failure to meet the terms and conditions of your signed performance agreement within the timeframes may result in a refusal at the <u>nomination stage</u>.

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If you sign a performance agreement, the BC PNP will issue you a **letter of confirmation** (i.e. work permit support letter), which will allow you to <u>apply to IRCC</u> for a work permit. This will enable you and your dependants to move to B.C. so you can start implementing your business plan. The letter of confirmation is valid for 90 days (approximately three months).

A work permit is the official document issued by the Government of Canada that allows a foreign national to work legally on a temporary basis in Canada. It does not confer status on Canada. The length of the temporary work permit may vary at the discretion of IRCC, but is usually two years.

You must apply for your work permit prior to the expiry date on your letter of confirmation. Your spouse or common-law partner will be eligible to apply for an open work permit, and your dependent child(ren) will be eligible for study permits to attend elementary or secondary school (if applicable).

At its discretion, the BC PNP may issue a maximum of two letters of confirmation.

3.4 (A) Arrival

After you sign your performance agreement, you must arrive in B.C. with your valid work permit within 365 days (12 months) from the date of your letter of confirmation.

If you do not arrive in B.C. within the 365-day period from the date of your letter of confirmation, your BC PNP application may be closed and no further immigration support from the province will be provided.

You must submit an **arrival report** to the BC PNP within 60 days of arriving in B.C. with your valid work permit, or, from the date your performance agreement was signed, whichever is later. The arrival report provides information such as your updated contact information in B.C., your work permit, and whether you transferred the requisite funds into a financial institution in B.C. Your arrival report must be submitted through *My Dashboard*.

Refer to the Entrepreneur Immigration Post-Arrival Guide available on the BC PNP <u>website</u> for more information.

3.4 (B) Building your Business in B.C.

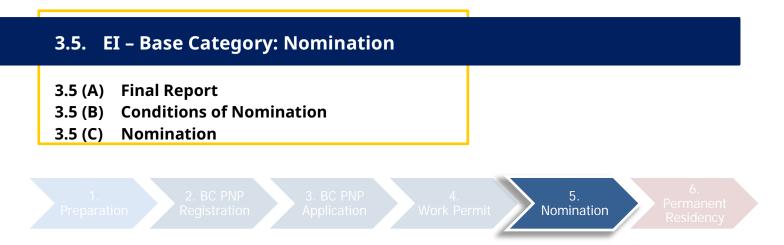
Once you arrive in B.C. with your valid work permit, you will have up to 610 days (approximately 20 months) to implement your business plan, actively manage your business, and satisfy the terms and conditions of your signed performance agreement.

You are not permitted to vary any terms of the performance agreement. If you are not able to meet the terms of the performance agreement, you must contact our office within 180 days (six months) of your arrival in B.C. with your valid work permit.

3.4 (C) Work Permit Extensions After Arrival

If your work permit is due to expire within 120 days (approximately four months), you must contact <u>en.imm@gov.bc.ca</u> to request a work permit support letter, which will allow you to apply to IRCC to extend your work permit. The BC PNP may request evidence to confirm you are meeting the terms of your signed performance agreement.

For information on the process for extending your work permit, refer to <u>IRCC's website</u>.



In order to be approved for nomination, you must demonstrate you have met the terms and conditions of your performance agreement by submitting a **final report** to the BC PNP.

3.5 (A) Final Report

You must submit a final report to the BC PNP between 550 to 610 days (approximately 18 to 20 months) after the issuance date of your valid work permit.

The final report is the form and supporting documents that you must submit in order to apply for nomination. Your final report must be submitted through *My Dashboard*. A **maximum of 50 attachments** can be uploaded to your application. Attachments cannot exceed 3MB each. Reduce your file sizes and merge files according to type of document.

In your final report, it is your responsibility to demonstrate to that you have met the terms and conditions described in your signed performance agreement. You must submit all required supporting documents, as outlined in the Entrepreneur Immigration Post-Arrival Guide, available on the BC PNP website. This includes financial statements for the business that have undergone review engagement by a Chartered Professional Accountant (CPA). The CPA cannot have any real or perceived conflict of interest.

The BC PNP will review and evaluate your final report, and may at its discretion, request additional information, conduct a site visit at your B.C. business and/or request an in-person interview at the BC PNP office in order to assess eligibility for nomination.

If you fail to meet the terms and conditions of the performance agreement during the mandatory timeframes, your application may be refused at the nomination stage and your file will be closed.

Your application may be refused if the BC PNP determines you made a <u>misrepresentation</u>, which can include providing false or misleading information or concealing relevant information about your application in your final report.

You may only submit one final report.

The BC PNP may support the extension of your work permit based on the assessment of your final report.

Please refer to the Entrepreneur Immigration Post-Arrival Guide available on the BC PNP <u>website</u> for more information.

3.5 (B) Conditions of Nomination

When the BC PNP is satisfied that you have met your performance agreement terms, you will be required to sign a Conditions of Nomination declaration. This document sets out the conditions **you must continue to meet while your federal application for permanent residence is in process.**

You must sign and submit the Conditions of Nomination declaration in order to receive a nomination by the BC PNP. Failure to maintain these conditions may result in the BC PNP <u>cancelling your nomination</u>.

It is a condition of your nomination that you are not at any time:

- prohibited from entering Canada
- under a removal order in or outside of Canada
- working in Canada without authorization

You must provide any information requested by the BC PNP to verify that conditions of nomination continue to be met. Failure to abide by the conditions of nomination, including failure to provide requested information, may result in the cancellation of your nomination.

If the BC PNP determines that you provided false or misleading information to the BC PNP, before or after nomination, your <u>nomination may be cancelled</u>.

Nominees must:

- continue to meet the conditions outlined in the signed performance agreement, including the agreed upon nature of business operations, business location, ownership percentage, job creation and/or job maintenance, location of residence, as well as your ongoing and active management of the business
- operate the business in a manner consistent with any required permit, licence, approval or other legal or regulatory requirements
- maintain legal authorization to work in Canada, or if status has expired, be able to demonstrate that an application for restoration of status within the 90-day eligibility period has been submitted
- comply with the requirements of Immigration and Refugee Protection Regulations section 87, and Provincial Immigration Programs Regulation subsection 6(g)

You must inform the BC PNP if there is a change in your circumstances, including but not limited to:

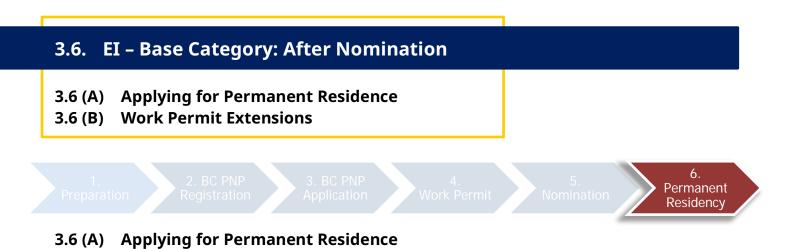
- change in business operations
- change in business location
- change in residential address
- change in marital status or number of dependants
- change in immigration status
- refusal of a Work Permit and/or refusal of a Temporary Resident Visa

3.5 (C) Nomination

Once your signed Conditions of Nomination declaration has been received by the BC PNP, you will be issued a **confirmation of nomination** as a provincial nominee.

The nomination will allow you and your eligible dependent family members to <u>apply for</u> <u>permanent residence to IRCC</u> under the Provincial Nominee Class.

Please note that the age(s) of your dependent children, if any, are locked in for the purpose of federal immigration requirements at the time you submit your registration to the BC PNP. For more information on federal requirements regarding the age of dependent children, please see IRCC's website.



After you have been approved as a provincial nominee, you may then apply for permanent residence to IRCC under the Provincial Nominee Class. The <u>confirmation of nomination</u> is valid for 180 days (approximately six months). You must apply for permanent residence prior to the expiry date on your confirmation of nomination.

IRCC will assess your application for permanent residence to ensure you meet the security and admissibility requirements, including medical and security checks, and that you continue to meet the requirements of the Provincial Nominee Class.

If IRCC approves your application, you will be issued a permanent resident visa.

For more information on applying for permanent residence and processing times, please visit <u>IRCC's website</u>.

IMPORTANT: The BC PNP has no jurisdiction over whether or not IRCC will grant you permanent residence status in Canada. IRCC is the final decision-making authority on whether to issue you a permanent resident visa.

IRCC may request additional information related to your application to ensure you continue to meet the conditions of nomination.

3.6 (B) Work Permit Extensions

If you have already applied for permanent residence and your work permit is due to expire within 120 days (approximately four months), you may be eligible to apply for a bridging open work permit from IRCC.

For eligibility requirements, refer to IRCC's website.

IRCC and/or the BC PNP may request evidence to confirm you continue to meet the conditions of your nomination. For more information about processing times for applying for a work permit, please visit <u>IRCC's website</u>.

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Part 4: General Program Information

Sections:

- 4.1. Withdrawing your Registration or Application
- 4.2. BC PNP Cancellation of your Nomination or Application
- 4.3. Request for Review
- 4.4. Misrepresentation
- 4.5. Refusal to Accept an Application or Registration
- 4.6. Use of a Representative
- 4.7. Definitions

4.1. Withdrawing your Registration or Application

You may withdraw your registration through *My Dashboard*. Registration fees are non-refundable.

You may request a withdrawal of your application at any time by contacting the BC PNP at <u>en.imm@gov.bc.ca</u>. Application fees are non-refundable.

4.2. BC PNP Cancellation of your Nomination

If you have been nominated by the BC PNP, your nomination may be cancelled under section 6 of the Provincial Immigration Programs Act if you have:

- failed to comply with your <u>conditions of nomination</u>
- failed to inform the BC PNP of a material change
- obstructed or <u>interfered with an inspection</u>
- retained a paid representative who is not qualified under the Act
- provided <u>false or misleading information</u>

The decision to cancel your nomination is not subject to review under <u>section 7 of the Act</u>.

Examples where an approval or nomination may be cancelled include, but are not limited to:

- information provided in your application to the BC PNP was <u>false or misleading</u>
- the <u>conditions of nomination</u> under which you were nominated are no longer being met:
 - for example, you have not maintained the terms and conditions of your performance agreement, including but not limited to: business type, business location, ownership percentage, job creation (and maintenance), investment, as well as the ongoing and active management of the business

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- you are no longer residing in B.C.
- you are in Canada and are out of status
 - if your status has expired, and you cannot demonstrate you have applied for restoration of status within the 90-day eligibility period, you will be considered out of status
- you are working in Canada without authorization
- you are under a removal order in or outside of Canada

4.3. Request for Review

If the BC PNP refuses an application (i.e. declined under <u>section 4(1)(b) of the Act</u>), that person has a right to request a review of the decision.

The purpose of a review is to determine whether the original decision was based on a fair process, and was within the range of decisions that could be reasonably supported by the evidence before the decision maker on the basis of the program criteria at the time of the decision.

An applicant may only submit a request to review a decision issued by the BC PNP (i.e. not decisions issued by IRCC). The review process is limited to the following types of BC PNP decisions:

- Entrepreneur Immigration registration disqualifications
- Entrepreneur Immigration stage 1 application refusals
- Entrepreneur Immigration stage 2 nomination refusals

All requests for a review of a decision must be made within 30 calendar days of the date of the decision notice if the applicant is a resident in Canada, or 60 calendar days of the date of the decision notice if the applicant is not a resident in Canada.

A person whose approval has been cancelled under section 6 of the Act is not entitled to have that decision reviewed by the BC PNP under the internal review process set out in section 7 of the Act.

The request for review must:

- be in writing and must be submitted through <u>BCPNP Online</u>
- identify the grounds for the request
- provide any information the BC PNP requests
- pay the \$500 non-refundable request for review fee

A review is not a chance to submit new evidence or re-argue the evidence submitted in your application. Being unsatisfied with the final decision or a component of the decision is not sufficient grounds to vary or reverse a decision.

Important information for those who choose to submit a request for review:

• Only the applicant named on the decision notice may request a review.

- The residential address provided in the online request for review form must be the applicant's current residential address. Forms that list the authorized representative's address will be considered incomplete and will not be processed.
- The applicant is responsible for outlining how the decision was unreasonable or procedurally unfair. The review will be based on the information provided by the applicant.
- The review will be conducted on the basis of the program criteria and evidence available at the time the application was declined.
- You will receive an e-mail confirming your request has been received.

Request for Review: Decision

As soon after receiving a review request as it is practical to do so, the BC PNP must either:

- confirm the original decision, or
- re-evaluate the application based on the review request

Reviewed decisions are final decisions under the Act and Regulation. Subsequent requests for review, or requests for review submitted outside of the applicable 30- or 60-day periods, cannot be accepted.

4.4. Misrepresentation

Your application may be refused if you are found to have misrepresented or withheld information relevant to the decision.

Misrepresentation can include any of the following:

- submitting false or misleading information in an application or registration;
- failing to disclose information relevant to an application or registration;
- communicating directly or indirectly, by any means, false or misleading information, or concealing relevant information, in any communication with the BC PNP or otherwise during the application and evaluation process

If you have been found to have misrepresented information in your application, the BC PNP may refuse to accept a future application from you for up to two years.

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4.5. Refusal to Accept an Application or Registration

The BC PNP may refuse to accept an application or registration if:

- an invitation for an application does not apply to that person
- the person has retained a representative who does not meet the prescribed requirements, as described in <u>section 4 of the Provincial Immigration Programs Regulation</u>
- the applicant has had a previous approval cancelled by the BC PNP
- the applicant has, in the two years immediately before the date of the application, been found by the BC PNP to have <u>made a misrepresentation in a previous application</u>
- the applicant has another active application.

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4.6. Use of Representative

- 4.6 (A) Declaration and Consent
- 4.6 (B) Authorized Paid Representatives
- 4.6 (C) Unpaid Representatives
- 4.6 (D) Changing Representatives
- 4.6 (E) Complaints Against a Representative

You are not required to use a paid or unpaid representative – such as an immigration consultant or lawyer – to register and/or apply to the BC PNP. The program is designed for you to be able to complete the process on your own if you choose to do so.

The BC PNP scores all registrations for each category under their respective criteria, and, if invited to apply, the BC PNP assesses all applications equally, regardless of whether they were prepared with the assistance of a representative. Your registration or application will not receive special attention, faster processing, or a more favourable outcome if it is submitted using the services of a representative.

Some applicants choose to use a representative to provide immigration advice or to assist with the process.

You must disclose if you have received assistance in preparing your registration and/or application from a person who is compensated or receives a benefit as a result of such assistance. Failure to declare such assistance may result in the refusal of the application or disqualification of the registration. If you pay someone to act as your representative, they must meet the requirements for authorized representatives stated below. A representative is authorized to act on your behalf with the BC PNP.

4.6 (A) Declaration and Consent

By completing the BC PNP <u>use of a representative form</u>, you have authorized the individual named on the form to represent you and act on your behalf with the BC PNP. This may include representation throughout the registration, application and assessment processes, and communication with program staff as required, including disclosure of personal or confidential information to your representative.

The legal declaration in the online registration or application is your legal signature. If your representative enters the registration or application on your behalf, you should review the information provided as **you will be legally responsible for the accuracy of the form contents**.

BCPNP Online uses your personal email as the unique personal identifier for your profile. The email and contact information provided in your profile will be associated with the application in the system and will be used by BC PNP staff for communication of final decisions.

At its discretion, the BC PNP may contact you directly to request additional evidence or information to verify information in your registration and/or application, and to determine if you meet or continue to meet all program requirements.

Privacy legislation restricts communication by the BC PNP to the applicant and authorized representative (if applicable) only. The BC PNP will not communicate with any other unauthorized third-party regarding your registration or application.

4.6 (B) Authorized Paid Representatives

In selecting a paid immigration representative, the BC PNP highly recommends that applicants confirm with their potential representative that they are members in good standing with their professional organization.

The Act and Regulation restricts payment for representation to groups defined by section 91(2) of the *Immigration and Refugee Protection Act*:

- immigration consultants who are full members in good standing of the <u>Immigration</u> <u>Consultants of Canada Regulatory Council (ICCRC)</u>
- lawyers who are members in good standing of the <u>Law Society of BC</u> or another <u>Canadian</u> <u>Law Society, the Nova Scotia Barristers' Society, or the *Chambre des notaires du Quebec*.</u>

4.6 (C) Unpaid Representatives

You may use the services of an unpaid representative to act on your behalf. Unpaid representatives may include persons authorized under the Act and Regulation (see above), family members, friends, and members of non-governmental or religious organizations.

The BC PNP only considers third-party representatives as unpaid if they do not charge fees or receive any other compensation or benefit for providing immigration advice or related services.

If your unpaid representative is found by the Province to have charged fees for, or otherwise benefited from, acting as your Representative, the Province will revoke such person's eligibility to serve as your Representative and may decline/cancel your application/approval to the BC PNP.

In selecting an unpaid representative, the BC PNP recommends that applicants confirm with their potential representative that they are members in good standing and have not been found to have made a misrepresentation by the BC PNP within the last two years.

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4.6 (D) Changing Representatives

If you change representatives or decide to no longer be represented, you must provide notification to the BC PNP. Failure to declare a change in representative may result in the refusal of your application.

The BC PNP will communicate with the representative indicated in your profile. If you decide to change or remove your authorized representative, you must update this information in the *My Representative* tab in *My Dashboard*. You are responsible for ensuring your profile is updated to reflect changes in representatives.

You may only have one representative at any given time. If you wish to change your representative during the BC PNP registration and/or application process, you must update the information in the *My Representative* tab in *My Dashboard* and submit another <u>use of a representative form</u> allowing your new representative to represent you and allow the BC PNP to disclose information to them.

Filing a new use of a representative form will automatically cancel any previously appointed representative.

You may remove your representative, without replacement, by contacting the BC PNP in writing and requesting the removal of that representative.

4.6 (E) Complaints Against a Representative

If you have a complaint about your representative, whether paid or unpaid, you may submit a complaint to the appropriate regulatory body:

- If your authorized representative is a member of ICCRC
- If your authorized representative is a member of the <u>Law Society of British Columbia</u>
- If your authorized representative is a member of another <u>Canadian Law Society, the Nova</u> <u>Scotia Barristers' Society, or the *Chambre des notaires du Quebec*</u>, contact the applicable professional organization.

You may wish to refer to the <u>IRCC website</u>, which contains a lot of information about using immigration representatives.

4.7. Definitions

"Act" means the Provincial Immigration Programs Act.

"certified court interpreter" means:

- a. A certified court interpreter who holds a current and valid membership to the <u>Society of</u> <u>Translators and Interpreters of BC (STIBC)</u>;
- b. A certified court interpreter who holds a current and valid membership to a society belonging to the <u>Canadian Translators, Terminologists and Interpreters Council (CTTIC)</u>; or,
- c. A graduate from the Court Interpreting Certificate Program from Vancouver Community College (VCC).

"Director" means the Director of Provincial Immigration Programs, or persons acting for the Director.

"paid representative" means:

- A lawyer who is a member in good standing of the <u>Law Society of BC</u> or any <u>other</u> <u>Canadian Law Society</u>, the Nova Scotia Barristers' Society, or the Chambre des notaires du Quebec; or,
- b. An immigration consultant who is a full member in good standing of the <u>Immigration</u> <u>Consultants of Canada Regulatory Council</u>.

"Regulation" means the Provincial Immigration Programs Regulation

Part 5: EI – Base Category Registration Scoring Guide

Sections:

- 5.1. Self-declared scores (120 points)
 - 5.1 (A) Experience & business ownership
 - 5.1 (B) Net worth
 - 5.1 (C) Total personal investment
 - 5.1 (D) Jobs created / maintained
 - 5.1 (E) Location based on B.C. Regional Districts
 - 5.1 (F) Adaptability factors
- 5.2. Business Concept Scoring (80 points)
 - 5.1 (A) General Information
 - 5.1 (B) Commercial viability
 - 5.1 (C) Transferability of skills
 - 5.1 (D) Economic benefits

This section provides detail about the **Entrepreneur Immigration – Base Category** registration scoring, including complete point tables and useful information on how to fill out your registration.

Many sections of the registration have minimum eligibility scores. You must meet the minimum eligibility scores in each section to be entered into the qualified pool.

	Scoring Sections	Points
	Experience & Ownership	24
	Net Worth	12
Self-declared	Total Personal Investment	20
Sell-declared	Jobs	20
	Regional District	12
	Adaptability	32
Self-declared SUBTOTAL score		120
Business	Commercial Viability	30
	Transferability of Skills	20
concept	Economic Benefits	30
Business concept SUBTOTAL score		80
Maximum Score Available		200

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Your registration will be disqualified if:

- you propose an ineligible business
- you are proposing a partnership but have not identified all partners and their percent ownership
- you are proposing to purchase an existing business but have not identified the target business, or if the business has not been in operation under the same owner for at least five years
- you do not meet the minimum point requirements for any section
- you do not score at least 32 points in the business concept section

You may have to provide evidence of any and all claims if you receive an invitation to apply. For information on documents required at the application stage, please refer to the Entrepreneur Immigration Application Guide available on the BC PNP <u>website</u>.

5.1. EI – Base Category: Self-declared Scores

The **<u>BCPNP Online</u>** system will automatically assign points based on the information you provide.

The BC PNP will verify this information and may adjust your score if necessary.

5.1 (A) Experience and Business Ownership

The <u>EI – Base Category requirements section of this Guide</u> provides detailed information on business and work experience requirements.

You will receive points based on your business ownership and/or senior management work experience **for the last 10 years**.

Please list all of your active business ownership and/or senior management work experience for the last 10 years. You will be assigned points in the experience section **for periods that are not duplicated in time**.

You may not claim senior management experience if you worked at the same business of which you owned more than 10 per cent during the same period of time.

You must indicate the industry sector code(s) based on the three-digit <u>NAICS code</u> and four-digit occupation code(s) from the <u>NOC</u> that best relate to your experience.

You must score at least 8 points to meet the minimum requirements for this section.

Experience	Total Duration	Points
Business owner-manager experience	Less than 12 months	0
	12 to 24 months	4
	25 to 36 months	6
	37 to 48 months	12
	49 to 59 months	15
	60 months or more	20
	Less than 24 months	0
Conjer manager work ever	25 to 48 months	4
Senior manager work experience	49 to 59 months	8
	60 months or more	12
Maximum Score Available		20

In addition, you will be awarded points if you have owned 100 per cent of a business for **at least three of the most recent five years**. The 100 per cent ownership of the business may be shared between you, your spouse or common-law partner, and/or your dependent child(ren).

Ownership	Amount	Points
	Less than three years of 100% business	0
	ownership in the past five years	0
Business ownership	100% ownership of a business for at least	4
	three of the last five years	
Maximum Score Available		4

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5.1 (B) Net Worth

The <u>EI – Base Category requirements section of this Guide</u> provides detailed information on personal net worth requirements.

You will receive points based on your total personal net worth including that of your spouse or common-law partner, and/or your dependent children, if applicable.

You will have to provide information on the following:

- current assets:
 - o bank deposits (e.g. personal chequing and savings accounts)
 - o liquid investments (e.g. stocks, bonds, term deposits redeemable within one year)
 - o other liquid assets (you must specify)
- other assets:
 - o real property (e.g. real estate, personal and commercial property ownership)
 - business ownership (i.e. current book value of the per cent ownership of your business(es))
 - o pension funds and other assets (you must specify)
- liabilities:
 - o real property mortgage
 - o other debts (e.g. personal loans, credit card debt)

You must score at least 5 points to meet the minimum requirements for this section.

Personal Net Wort	h	Points
Your total current assets (cash and liquid funds)	Less than \$50,000	0
	\$50,000 to \$199,999	2
	\$200,000 to \$399,999	3
	\$400,000 or more	4
Your total personal net worth	Less than \$600,000	0
	\$600,000 to \$799,999	5
	\$800,000 to \$1,999,999	6
	\$2,000,000 to \$4,999,999	7
	\$5,000,000 or more	8
Maximum Score A	vailable	12

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5.1 (C) Total Personal Investment

The <u>EI – Base Category requirements section of this Guide</u> provides detailed information on minimum investment requirements.

You will receive points based on your proposed total personal investment for the business.

The <u>BCPNP Online</u> registration form includes typical investment items as dropdown items. You may add investment item fields to the table by selecting *other*.

You must score at least 8 points to meet the minimum requirement for this section.

Total Personal Investment	Points
Less than \$200,000	0
\$200,000 to \$399,999	8
\$400,000 to \$599,999	10
\$600,000 to \$999,999	11
\$1,000,000 to \$1,999,999	12
\$2,000,000 to \$3,999,999	14
\$4,000,000 to \$7,999,999	16
\$8,000,000 or more	20
Maximum Score Available	20

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5.1 (D) Jobs Created / Maintained

The <u>EI – Base Category requirements section of this Guide</u> provides detailed information on job creation requirements.

You will receive points based on your proposed full-time equivalent (FTE) job creation, and FTE maintenance if you are purchasing an existing business.

You will be disqualified if you do not demonstrate that you will create at least one FTE job.

If you are proposing to partner with a co-registrant, refer to the <u>partnering with a co-registrant</u> <u>section</u>.

To identify the occupation and associated skill level, refer to the <u>NOC</u>. The salary field represents the **estimated annual salary** of the position.

Total Proposed FTE Jobs	Points
Less than 1	0
1 job	8
2 jobs	9
3 jobs	10
4 jobs	11
5 jobs	12
6 jobs	13
7 - 9 jobs	14
10 - 19 jobs	16
20 or more jobs	20
Maximum Score Available	20

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5.1 (E) B.C. Regional District Population

The BC PNP is focused on attracting investment to regional communities and in the BCPNP Online registration, higher points are awarded for investments proposed in Regional Districts with smaller populations.

Points are awarded for the location of the proposed business based on the population sizes of <u>B.C.'s Regional Districts</u> based on <u>BC Stats Sub-Provincial Estimates</u> for 2016.

If you are proposing to establish a new business in a regional community in B.C., you may want to consider submitting a registration under the <u>Entrepreneur Immigration – Regional Pilot</u>.

The applicant must work at the primary place of business in the proposed regional district and reside within 100 kilometres of the business.

There is no minimum required score for this section.

Location based on B.C. Regional District Population		Points
Greater Vancouver	500,000 people or more	0
Capital, Fraser Valley	200,000 to 499,999	1
Central Okanagan, Nanaimo, Thompson-Nicola	100,000 to 199,999	3
Cowichan Valley, Fraser-Fort George, North Okanagan, Okanagan-Similkameen	70,000 to 99,999	6
Comox, Peace River, Cariboo, Central Kootenay	60,000 to 69,999	8
Columbia-Shuswap, East Kootenay, Strathcona, Squamish-Lillooet, Bulkley-Nechako, Kitimat-Stikine	35,000 to 59,999	10
Alberni-Clayoquot, Kootenay-Boundary, Sunshine Coast, Powell River, Skeena-Queen Charlotte, Mount Waddington, Northern Rockies, Central Coast, Stikine	Fewer than 35,000 people	12
Maximum Score Available		12

BC Stats 2016 Sub-Provincial Population Estimates

5.1 (F) Adaptability Factors

- (i) Language Proficiency
- (ii) Education
- (iii) Previous Visit(s) to B.C.
- (iv) Age
- (v) Canadian Experience

The BC PNP will consider adaptability factors and assign points for these factors as part of the registration score. These factors are not mandatory requirements of the BC PNP but are indicators to support the likelihood of your economic establishment in B.C.

For information on required documents for a complete application, please refer to the Entrepreneur Immigration Application Guide available on the <u>BC PNP website</u>.

There is no minimum required score for this section.

(i) Language Proficiency

You are not required to demonstrate your language proficiency at the time of registration, however, being proficient in English and/or French is a mandatory requirement for nomination in the BC PNP Entrepreneur Immigration – Base Category.

If you claim points for language proficiency in your registration you will be required to submit a copy of valid language test results at the time of registration.

For the purposes of determining your current level of official language proficiency, refer to the <u>Centre for Canadian Language Benchmark's</u> publication, <u>Canadian Language</u> <u>Benchmarks: Language test equivalency charts</u>.

(ii) Education

You will receive points for your <u>highest level of completed education</u>. If you are invited to apply, you will be required to provide evidence of your education, and you may be required to provide an education credential assessment.

If your score for Education Level is 0, you will not be eligible to register unless you have at least three years of active management experience of a business that you had 100 per cent ownership in the last five years.

(iii) Previous Visit(s) to B.C.

If you have previously visited British Columbia, you must provide details of your visit(s), including cities/municipalities visited, and the dates when you entered and exited B.C. If you are invited to apply, you will be required to provide evidence of your previous visit(s) to B.C.

(iv) Age

The BC PNP does not have any age requirements or age limits. However, your age will be assigned points in the BCPNP Online registration.

(v) Canadian Experience

The BC PNP will assign points if you possess any of the following experience obtained in Canada **within the last 10 years**:

- Canadian, full-time work experience: You have legally worked in Canada for at least 12 consecutive months in any occupation, which may include the active management of a business under your ownership in Canada. During this time, you must have had a valid Canadian work permit to claim this experience.
- Full-time studies in Canada: You have legally studied in Canada under a secondary or post-secondary program for at least 12 consecutive months (including scheduled breaks such as winter and summer breaks and holidays – a minimum of two consecutive semesters). During this time, you must have had a valid Canadian study permit to claim this experience.

Points will not be assigned for language training such as English as a second language.

Adaptability Factor		Points
	None or minimal, similar to CLB 3 and below	0
Language proficiency	Basic understanding, similar to CLB 4	2
	Intermediate and advanced, similar to CLB 5 and above	4
	Secondary school or less	0
	Associate degree	
	Diploma / certificate (non-trades)	2
	Diploma / certificate (trades)	
Education level	Bachelor's degree	F
	Post-graduate diploma / certificate	- 5
	Master's degree	0
	Doctorate / PhD	- 8
	Less than 25	0
	25 – 34	4
4.44	35 – 44	8
Age	45 – 54	6
	55 – 64	4
	65 or older	0
	No, or visited B.C. more than 3 years ago	0
	Yes, visited B.C. 1 – 3 years ago	1
Business exploratory visits	Yes, visited B.C. less than 1 year ago, but did not visit the Regional District of the proposed business	2
	Yes, visited the Regional District of the proposed business less than 1 year ago	4
Canadian work experience, business experience, or studies from within Canada for at least 12 months	No	0
	Yes	8
Maximum Score Ava	ilable	32

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5.2. EI – Base Category: Business Concept Scoring

- 5.2 (A) General information
- 5.2 (B) Commercial Viability
- 5.2 (C) Transferability of Skills
- 5.2 (D) Economic Benefits

You must propose to **establish a new business** or **purchase and improve an existing business** in B.C. The business concept of the registration is similar to an executive summary that provides high-level information about your proposed business plan.

If you are invited to apply, you will be required to submit a comprehensive business plan as part of your application.

5.2 (A) General Information

You must answer questions and provide details of your business concept specific to your proposal. Your proposed business concept will be scored by the BC PNP.

For all registrations, you will be asked to provide details of the following:

- description of the business model and its operations: what will the business do and how will it do it?
- description of the types of goods and/or services the business will provide
- your proposed job title and duties, and how your qualifications relate to the proposed business
- description of how your business will be commercially viable: what is your market entry strategy?
- description and rationale for your staffing requirements

In addition to the above, if you are **purchasing an existing business**, wholly or partially, you must:

- identify and describe the target business, including staffing
- summarize the company's performance, with approximate annual revenue, and net profit from the past two years
- provide a description and rationale of your improvement/expansion plan
- comment on business history and financial health
- explain how you established the value of the business

Do not include general market research or statistics in your business concept.

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In the business concept section, you will be also required to indicate whether you are proposing any of the following:

• franchise business:

If you are proposing to establish a franchise business, either a new franchise location or purchasing an existing one, you must provide details on the franchisor. In addition, you must identify any franchisor conditions or restrictions on approving you as a franchisee, and describe the franchisor response to your request for a proposed new location. For more information on franchise businesses, please refer to the <u>business requirements</u> <u>section</u>.

• partnership with local partner(s):

If you are proposing to partner with a local or foreign businessperson or BC PNP coregistrant, you must provide a rationale for the business partnership and describe your business relationship with each partner. You must identify the partner(s), their proposed ownership percentage, whether the local partner(s) will make any investment into the business, and what role, if any, the partner(s) will have in the business.

• partnership with BC PNP co-registrant(s):

If you are partnering with a <u>BC PNP co-registrant</u>, each co-registrant must submit their registrations within 30 days of the earliest registration. Your registration will not be accepted if your co-registrant(s) submits a registration more than 30 days after your registration is received.

For complete information on business requirements, including detailed explanations of factors within the business concept, please refer to the <u>business requirements section of this Guide</u>.

You must score at least 32 points in the business concept section.

Your business concept will be scored on the following factors:

Business Concept Factors	Points
Commercial viability:	
(a) Business model	
(b) Market and products/services	
(c) Eligible personal investment	30
(d) Assessment of proposed personal investment	
(e) Ownership percentage	
(f) Risk factors	
Transferability of skills:	
(a) Business owner-manager experience only	20
(b) Senior manager work experience only	20
(c) Language ability	
Economic benefits:	
(a) Key sectors & significant economic benefits	
(b) Jobs assessment	30
(c) High-skilled jobs	
(d) Development region	
Maximum Score Available	80

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5.2 (B) Commercial Viability

- 5.2 (B)(a) Business model
- 5.2 (B)(b) Market and products/services
- 5.2 (B)(c) Eligible personal investment
- 5.2 (B)(d) Assessment of proposed personal investment
- 5.2 (B)(e) Ownership percentage
- 5.2 (B)(f) Risk factors

The BC PNP will assess your business concept and assign points based on the commercial viability of your proposed business.

Overall Commercial Viability	Points
Business model	10
Market & products/services	4
Eligible personal investment	4
Assessment of proposed personal investment	6
Ownership percentage	4
Risk factors	2
Maximum Score Available	30

5.2 (B)(a) Business model

You must describe how your proposed business will generate revenue and profit, and how the business will have the potential for sustained commercial success under your management.

For the purchase of an existing business, including partnerships:

- Expansion/improvement plan: You must identify how you will improve, upgrade and/or expand the existing business. This may include creating new employment, investing in improvements and/or upgrades to the business, introducing new products and/or services, etc.
- Financial stability: You must be able to demonstrate that the business is a going concern (profitable), that it can sustain additional expenses and investments, how the business will generate additional profit, and how the workforce will be expanded.

You will receive points for your business model based on the following table:

Business Model	Points
Unsatisfactory / Unclear	1
Fair / Good	5
Excellent	10
Maximum Score Available	10

The business model is assessed based on the following criteria:

- An unsatisfactory/unclear business model (1 point) will be determined **if any of the following are identified**:
 - business model does not clearly identify and/or describe the business operation from start to finish
 - o business model does not clearly identify the products and/or services being offered
 - o proposed scale of business is not consistent with industry/regional norms
 - o business concept does not provide details of applicant's proposed role
 - business concept does not provide substantive information on local business partner and/or co-applicant
 - o proposed co-registrants do not demonstrate a prior working/business relationship
 - if purchasing an existing business: the proposed expansion plan does not effectively address a plan to upgrade/improve or expand the existing business, or is ineligible
 - if purchasing an existing business: the proposed expansion plan relies primarily upon unsubstantiated investment and/or job creation and appears to be inconsistent with industry/regional norms
- A fair/good business model (5 points) will be determined **if all of the following are met**:
 - business model is clearly identified and describes the business operation from start to finish
 - o business model clearly identifies the products and/or services being offered
 - o proposed scale of business is consistent with industry/regional norms
 - business concept provides substantive information on local business partner and/or co-applicant (if applicable)
- An excellent business model (10 points) will be determined if, in addition to core requirements for fair/good, the business concept **also meets at least 3 of the following factors**:

- proposed investment and jobs plan are consistent with the business model (must score 6 points for assessment of investment and score 6 points for jobs assessment)
- o business model identifies a clear strategy to become commercially viable
- o business model's operational plan is internally consistent
- applicant's proposed duties with the business are consistent with applicant's experience

5.2 (B)(b) Market and products/services:

You must provide an effective market entry strategy to show how your proposed business will be successful in British Columbia. If you are planning to purchase an existing business, you must be able to demonstrate how the business will grow and expand under your management.

You must describe the types of products and/or services that will be offered, or that are currently offered if you are purchasing an existing business. Describe the uniqueness of the product(s) and/or service(s).

You will receive points for your market and products/services based on the following table:

Market & Product	Points
Does not satisfactorily address any of the Market/Product factors	1
Addresses at least one of the Market/Product factors, and is consistent with Business Model	4
Maximum Score Available	4

Scoring will be based on whether the registrant demonstrates **at least 1 of 4 critical factors**, which are consistent with the business model:

- Competitive edge: the product/service offers distinction from its potential competitors. If local competitors offer the same or similar product/service, then it does not offer substantive distinction.
- High-value: the proposed product/service will be a specialized product/service that is differentiated from generic, mid to low-value products/services.
- New product/service: the product/service is "new to the market" or "new to the world". The business concept should demonstrate that the product/service is not locally available.
- Competitive analysis/market entry strategy: business concept provides a competitive analysis that identifies current/potential competitors, how to make the product/service unique or distinguishable, how to attract the target market, strengths and weaknesses of

current and potential competitors, and how the proposed business's competitive advantage and how it will effectively enter the market.

5.2 (B)(c) Eligible personal investment

The BC PNP will determine the eligibility of your proposed investment and assign you points. For detailed information on eligible and ineligible investments, refer to the <u>investment requirements</u> <u>section of the Guide</u>.

If you are proposing the purchase of an existing business, your registration will be disqualified if less than \$50,000 is proposed as eligible investment towards the improvement, upgrades, and/or expansion of the existing business (i.e. expansion investment).

This proposed investment must be made from your own personal funds. External financing, including mortgages and loans, will not be considered toward your personal investment.

You must score at least 1 point to meet the minimum requirement for this section.

You will receive points for your proposed eligible personal investment based on the following table:

Eligible Personal Investment	Points
Less than \$200,000 or less than \$50,000 of eligible expansion investments	0
\$200,000 to \$399,999	1
\$400,000 to \$599,999	2
\$600,000 to \$799,999	3
\$800,000 or more	4
Maximum Score Available	4

5.2 (B)(d) Assessment of proposed personal investment

You must describe your proposed investments. The BC PNP will assess your proposed investments and assign you a score in your business concept based on whether the expenditure is deemed essential to establish and operate a new business or to purchase, improve and operate an existing business.

Your proposed personal investment will also be considered against the type and scope of the proposed business, the market, the products/services, the business model, and the industry and/or local standards.

Assessment of Proposed Personal Investment	Points
Investment proposal does not correspond to the type or scale of the business	0
Investment proposal corresponds to the type and scale of the business	4
Investment proposal corresponds to the type and scale of the business, the market, the proposed products and/or services, the business model, and the industry standard.	6
Maximum Score Available	6

The assessment of proposed personal investment is based on the following criteria:

- Unsubstantiated (0 points): the proposed investments are not substantiated, or appear overstated and/or unreasonable based on the type and scale of the business (and expansion plan, if applicable)
- Substantiated (4 points): the investment appears to correspond to the type and scale of the business given the information provided.
- Well-substantiated and researched (6 points): the proposed investments are detailed and substantiated in the business concept demonstrating that the registrant has conducted a significant amount of due diligence. The investment appears to correspond to the type and scale of the business as well as the market, the proposed products and/or services, the business model, and the industry standard.

5.2 (B)(e) Ownership percentage

You must demonstrate you will own at least one-third (33 1/3 per cent) of the business in B.C.

If your ownership is less than 33 1/3 per cent, you must invest a minimum of \$1 million in order to not be disqualified. This investment must be an equity purchase. Please refer to the <u>business</u> requirements section of this quide.

You will receive points for ownership percentage based on the following table:

Ownership percentage	Points
100% ownership	4
More than 50% and less than 100%	3
33 1/3% to 50%	2
Less than 33 1/3% ownership	0

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Maximum Score Available

4

5.2 (B)(f) Risk factors

The BC PNP will consider the potential for any risk factors of your proposed business and your ability to address risks.

You will receive points for risk factors based on the following table:

Risk Factors	Points
proposing external financing	
OR	
 proposing to invest more than 50% of your PNW 	0
OR	
• you are proposing to partner with a co-registrant	
None of the above	2
Maximum Score Available	2

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5.2 (C) Transferability of Skills

5.2 (C)(a)	Business owner-manager experience only
5.2 (C)(b)	Senior manager work experience only

5.2 (C)(c) Language ability

Transferable skills are assessed by considering the similarity of the industry of your business/work experience to that of your proposed business in B.C.

You will be assigned points for your transferable skills at the registration stage, and if you are invited to apply, the BC PNP will assess your transferable skills at the application stage.

You will receive points based on your **direct experience** and/or **experience in related industries** for the last 10 years.

- **Direct experience** is defined as experience gained in the same industry and sector corresponding to the **first three digits** of the proposed <u>NAICS</u> code.
- **Related experience** is defined as experience gained in a similar industry operating in a related business line as the proposed business based on the proposed <u>NAICS</u> code.

To identify the industry sector, please refer to the NAICS.

The BC PNP will confirm the registrant's entered NAICS code corresponds to the registrant's industry experience.

Definitions of **active business owner-manager** and **senior manager** are described in the <u>personal requirements section of this Guide</u>.

Transferability of Skills	Points
Business owner-manager experience only	20
Senior manager work experience only	14
Language ability	2
Maximum Score Available	20

If you have business ownership and senior management work experience, your score will be calculated by combining your business experience and your work experience with the following equation:

(Total business experience only points) + (50 per cent of points calculated from work experience only)*

* Unless your work experience only points are greater than the combined total.

5.2 (C)(a) Business owner-manager experience only

How many years as an active owner-manager in a similar business from the **last 10 years** based on <u>NAICS</u>.

Business Owner-Manager Experience	Points
12+ months of experience in an unrelated industry	2
12 months or less of direct experience or 12 to 36 months of related experience	5
13 to 24 months of direct experience or 37+ months of related experience	8
13 to 24 months of direct experience and 37+ months of related experience	10
25 to 36 months of direct experience	12
25 to 36 months of direct experience and 37+ months of related experience	14
37 to 60 months of direct experience	16
37 to 60 months of direct experience and 37+ months of related experience	18
More than 60 months of direct experience	20
Maximum Score Available	20

5.2 (C)(b) Senior manager work experience only

How many years in a similar position as a senior manager from the **last 10 years** (without ownership or less than 10 per cent ownership) based on <u>NAICS</u>.

Senior Manager Work Experience Only	Points
12+ months of experience in an unrelated industry	2
12 months or less of direct experience or 12 to 36 months of related experience	4
13 to 36 months of direct experience or 37+ months of related experience	6
13 to 36 months of direct experience and 37+ months of related experience	8
37 to 60 months of direct experience	10
37 to 60 months of direct experience and 37+ months of related experience	12
More than 60 months of direct experience	14
Maximum Score Available	14

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5.2 (C)(c) Language ability

Additional points will be awarded if you have official language (English or French) proficiency (as declared in the <u>adaptability tab</u>).

If you have already been awarded the maximum 20 points for this section, no additional points will be awarded for language ability.

Language Ability	Points
Minimal to none (Similar to CLB 3 or below)	0
Basic language proficiency (Similar to CLB 4)	1
Intermediate or above language proficiency (Similar to CLB 5 or above)	2
Maximum Score Available	2

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5.2 (D) Economic Benefits

- 5.2 (D)(a) Key sectors and/or significant economic benefits
- 5.2 (D)(b) Jobs assessment
- 5.2 (D)(c) High-skilled jobs
- 5.2 (D)(d) Development region

You will receive points based on the potential to add economic benefits to British Columbia. The BC PNP will review your registration and assign points for the following factors used to demonstrate the economic benefits of the proposed business in B.C.

You must substantiate your proposed economic benefit factors.

Overall Economic Benefit Points	Points
Key Sector & Significant Economic Benefit	12
Jobs assessment	6
High-skilled jobs (NOC 0, A or B)	4
Regional Development	8
Maximum Score Available	30

5.2 (D)(a) Key sectors and/or significant economic benefits

The following key sectors are eligible for additional points:

- Agrifoods: food production and food processing
- Biomedical: includes research and development, manufacturing, etc.
- Destination Tourism: businesses that target tourists directly where its products/services are the tourist attractions rather than businesses that offer spin-off activities from the tourism industry
- Forestry
- International Education: proposed accredited educational institutions that offer educational programs in B.C. to foreign students
- Mining & Energy or Natural Gas Sector
- Technology and Green Economy
- Transportation

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• Value-Added Manufacturing: for businesses the offer high-value added manufacturing – not basic or assembly of foreign-made products

Other **significant economic benefits** that the proposed business may demonstrate:

- Adopting new technology: the new technology must not already be in regular use in similar businesses
- Developing new products & services
- Developing innovative approaches to traditional businesses: innovative approaches are considered high-value (technology-based) and not already in regular use by similar businesses
- Increasing exports: primary businesses that will/may increase exports. This does not include businesses that facilitate exports/trade such as trading companies or agencies
- Increasing research and development, and technology commercialization
- Indigenous Peoples and First Nations: partnering with or receiving support from First Nations communities for businesses that affect the First Nation community, and/or largely benefit First Nations communities and/or Indigenous peoples
- Providing products or services to an under-served local or regional market
- Transferring technology and specialized knowledge to B.C.: facilitates and/or supports the high technology industry, and/or provides opportunities to develop technology products/services in B.C.

Key Sector / Significant Economic Benefit Scoring	Points
Does not identify or substantiate any key sectors or any significant economic benefits	3
Substantiates at least 1 key sector or at least 1 significant economic benefit	8
Substantiates at least 1 key sector and at least 1 significant economic benefit	12
Maximum Score Available	12

5.2 (D)(b) Jobs assessment

The BC PNP will assess your jobs plan based on the type and scope of the proposed business, the market, the proposed products and/or services, the business model, and the industry standard.

You must score at least 1 point to meet the minimum requirement for this section.

Jobs assessment	Points

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The business concept does not support the creation of at least 1 FTE position	0
Jobs plan does not correspond to the type and scale of the business	1
Jobs plan corresponds to the type and scale of the business	6
Maximum Score Available	6

The jobs assessment is based on the following criteria:

- Does not support minimum eligibility criteria (0 points): the jobs plan provides insufficient or incomplete information where the BC PNP cannot determine whether the business concept supports the creation of the minimum FTE requirement. Or, the jobs plan only proposes the creation of occupations that are typically contracted out or do not meet the minimum 30 hours per week (or 1,560 hours per year).
- Unsubstantiated (1 point): the proposed job creation plan is not substantiated, or appears overstated and/or unreasonable based on the type and scale of the business (and expansion plan, if applicable), and/or industry norms. If purchasing an existing business, the job creation plan is inconsistent with the proposed expansion plan and/or historical financial information.
- Substantiated (6 points): the jobs plan appears consistent with the business model and corresponds to the type and scale of the business. Satisfactory information provided.

5.2 (D)(c) High-skilled jobs

You will receive points for proposing to create or maintain jobs in high-skilled occupations as defined as skill levels 0, A, or B under the NOC.

High-skilled jobs (NOC 0, A or B)	Points
Business concept does not propose or substantiate hiring any high-skilled positions	0
Business concept substantiates the creation/maintenance of one high- skilled position	2
Business concept substantiates the creation/maintenance of two or more high-skilled positions	4
Maximum Score Available	4

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The high-skilled jobs assessment is based on the following criteria:

- The NOC code and whether it corresponds to the job title and proposed duties.
- The proposed occupations are substantiated and are typically employed as full-time positions within the same industry and/or business scale.
- The proposed wages appear to be consistent with industry norms (for this stage of the business life cycle).

5.2 (D)(d) Development region

The BC PNP will assign additional points in your business concept for the location of the proposed business based on B.C.'s <u>development regions</u>.

Development Region of B.C.	Points
Lower Mainland / Southwest	2
Vancouver Island and Coast	4
Thompson / Okanagan	4
Cariboo	6
Kootenay	8
Nechako	8
North Coast	8
Northeast	8
Maximum Score Available	8

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Notes

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BC Provincial Nominee Program

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