



NORTHWEST TERRITORIES NOMINEE PROGRAM

BUSINESS STREAM PROGRAM GUIDELINES

Effective November 16, 2022



Table of Contents

NORTHWEST TERRITORIES NOMINEE PROGRAM	1
BUSINESS STREAM PROGRAM GUIDELINES.....	1
1.0 Introduction	5
2.0 Service Standards and Contact Information.....	6
3.0 Applying to the Business Stream.....	7
3.1 Authorized Immigration Representative.....	7
3.2 How the Business Stream Works	7
3.3 Submitting your Application	8
4.0 Application Steps	9
4.1 Step 1: Self-Assessment and Initial Investigations	9
4.2 Step 2: Further Investigations and Face-to-Face Interview(s)	12
4.3 Step 3: Submitting a Formal Application	14
4.4 Step 4: Application Review.....	15
4.5 Step 5: Business Performance Agreement.....	16
4.6 Step 6: Developing the Business	17
4.7 Step 7: Nomination	19
5.0 Application Denial.....	21
6.0 NTNP Online Application.....	22
6.1 BNP Initial Registration	22
6.2 NTNP-05 Authorize or Cancel a Representative	22
6.3 BNP Pre-Interview Submission	22
6.4 NTNP-04 Personal Statement of Financial Affairs.....	22
6.5 BNP Formal Application Submission	23
6.6 BNP Arrival Report Submission.....	23
6.7 BNP Business Performance Agreement Interim Report Submission	23
6.8 BNP Final Report Submission.....	23
6.9 Application Closure due to Inactivity	23
7.0 Document Submission.....	24
7.1 Language of Documents.....	24
7.2 Certified True Copies	24

7.3	Who can Certify Documents	24
8.0	Definitions.....	26
	Appendix A: Résumé Template.....	28
	Appendix B: Visit Summary Template.....	29
	Appendix C: Purchase of an Existing Business (If Applicable).....	30
	Appendix D: Business Plan Considerations	32
	Appendix E: Third Party Financial Verification.....	34
	Appendix F: List of Ineligible Businesses.....	36
	Appendix G: List of Eligible Expenses towards the Required Investment	37
	Appendix H: Settlement Plan.....	38

1.0 Introduction

Immigration into Canada is a shared responsibility between the Government of Canada and the Government of the Northwest Territories (GNWT), whereby the Government of Canada has sole responsibility for determining, nationally and for provinces and territories, who is admitted to Canada, Immigration Classes, and annual immigration levels.

In agreement with the Government of Canada, the Northwest Territories Nominee Program (the “Nominee Program” or “NTNP”) is a process that provides eligible Foreign Nationals a pathway to becoming permanent Canadian residents. The agreement allows the GNWT to nominate Foreign Nationals for Permanent Residency within the Northwest Territories.

The purpose of the Nominee Program is to fill identified labour shortages and business investment needs in the Northwest Territories through employment and immigration of Foreign Nationals to Canada. The Nominee Program is designed to support the immigration of Foreign Nationals who contribute to the economic development and success of the Northwest Territories and who are interested in immigrating to the Northwest Territories.

There are two streams within the Nominee Program; the Business Stream and the Employer-Driven Stream. The Department of Industry, Tourism and Investment (ITI) is responsible for administering the Business Stream of the Nominee Program. These guidelines pertain only to the Business Stream. For details of the Employer-Driven Stream please refer to the Employer-Driven Program Guidelines at <https://www.immigragenwt.ca/en/employer-driven-stream>

The Business Stream of the Nominee Program is designed to attract entrepreneurs with business expertise and investment capital to settle in the Northwest Territories and enhance the economic environment of the Northwest Territories by purchasing or starting a business.

For applicants to the Business Stream, the Nominee Program will assess applications according to the criteria in the application guidelines, posted on the Northwest Territories Immigration website, at the time the Nominee Program has formally invited the applicant, in writing, to apply.

Please note that program criteria may change without notice. To check if you have the most up-to-date application guidelines, please visit: <https://www.immigragenwt.ca/en>

2.0 Service Standards and Contact Information

Nominee Program staff will:

- Provide quality and professional service;
 - Except where time frames are expressly noted in these guidelines, endeavor to respond to inquiries within fifteen (15) business days;
 - Endeavour to process complete applications within twelve (12) weeks of receipt of all required information and documentation; and
 - Provide follow-up, as appropriate, to facilitate processing of applications.

Applicants can contact the Nominee Program at:

Email: immigration@gov.nt.ca

Toll Free Number: 1-855-440-5450

3.0 Applying to the Business Stream

3.1 Authorized Immigration Representative

An Authorized Representative can be paid or unpaid. If the Employer and/or Nominee Applicant wishes to authorize either a paid or unpaid Representative to formally act on their behalf in conducting business or communicating with the NTNP, they must submit a Use of a Representative Form (NTNP Employer/Nominee Applicant). Using an Authorized Representative does not change the application process or guarantee an application's approval.

Paid Immigration Representatives

Paid Immigration Representatives must be:

- Immigration consultants who are full members in good standing of the College of Immigration and Citizenship Consultants (CICC); or
- lawyers who are members in good standing of the Law Society of BC or another Canadian Law Society, the Nova Scotia Barristers' Society, or the Chambre des notaires du Québec.

Only one individual can be authorized to act as a Representative at a time. An appointment of a new authorized Representative will cancel any previously appointed Representative.

WARNING: Payment to an Immigration Representative who is not regulated as described above is strongly discouraged. Applicants are encouraged to learn about possible immigration fraud and scams. Information is available at: www.cic.gc.ca/english/information/protection/fraud

Unpaid Immigration Representatives

You can also use the services of an unpaid Immigration Representative, such as a family member, friend, or a member of a non-governmental or religious organization, to act on your behalf.

The Nominee Program only considers an Immigration Representative to be unpaid if they do not charge fees or receive any other compensation or benefit for providing immigration advice or related services.

3.2 How the Business Stream Works

Applicants must start with a working business concept that will bring economic

benefit and jobs to the Northwest Territories and a desire to move to the Northwest Territories. The applicant must meet the requirements and criteria as set out in these guidelines and submit a complete online application and business plan for review and possible acceptance by the Department of Industry, Tourism and Investment. The review may involve other government departments and agencies as necessary. Once a applicant is accepted and the business plan is implemented in the Northwest Territories, a nomination certificate will be issued and the applicant may commence the process of applying for Permanent residency in Canada.

The application and assessment process follows these steps:

1. Self-assessment and initial investigations;
2. Further investigations and face-to-face interview(s); (Initial Registration and Pre-Interview Submissions on an online NTNP account)

Upon Invitation to apply:

3. Formal application; (Formal Application Submission on an online NTNP account)
4. Application review;

If approved:

5. Approval and the Business Performance Agreement;
6. Developing the business (Arrival Report and Business Performance Agreement Interim Report Submissions on an online NTNP account); and
7. Nomination (Final Report Submission on an online NTNP account).

The Department of Industry, Tourism and Investment reserves the right to deny an application, at any step in the application process, where it determines that an applicant is, for any reason, ineligible. Decisions on applications are final and there is no appeal process.

3.3 Submitting your Application

All applicants must create an online account at <https://immigratenwt.ca/> to submit their application and pay a \$2,800 application fee. Unless otherwise agreed upon by NTNP staff, applications will not be accepted by e-mail, mail or fax.

Only completed applications will be assessed. The NTNP does not refund application fees.

4.0 Application Steps

4.1 Step 1: Self-Assessment and Initial Investigations

Self-assessment should begin with a review of the eligibility criteria information below to determine if the financial and other criteria can be met. Confirmation that the minimum eligibility criteria are met will be required at the Initial Registration section of the NTNP online account.

Eligibility Criteria for the Business Stream

The Business Stream is aimed at entrepreneurs and owner/operators of businesses who want to immigrate to, and establish business operations in, the Northwest Territories. Applicants from all economic sectors are eligible for this stream.

Business concepts will be considered a priority if they involve a project that is new and innovative to the Northwest Territories or if the project would generate significant benefits to the Northwest Territories both in terms of investment and job creation.

The applicant must:

- Invest:
 - A minimum of \$300,000 CDN equity* into starting or buying a business within the corporate boundaries of Yellowknife, Northwest Territories; or
 - A minimum of \$150,000 CDN equity* into starting or buying a business outside of the corporate boundaries of Yellowknife, Northwest Territories.
- Have a personal net worth** of:
 - At least \$500,000 CDN if starting or buying a business within the corporate boundaries of Yellowknife, Northwest Territories; or
 - At least \$250,000 CDN if starting or buying a business outside the corporate boundaries of Yellowknife, Northwest Territories.
- Demonstrate that they own at least one-third (33.3%) of the business they are starting or buying:
 - Where your personal equity investment is at least \$1,000,000 you may own less than one-third (33.3%) of the business pursuant to the *Immigration and Refugee Protection Regulations*, section 87(6)(b)(ii).
- Demonstrate that they have achieved a level of proficiency of 4 against the

Canadian Language Benchmark (CLB 4) in English or the equivalent language level against the Niveaux de compétence linguistique Canadiens (NCLC) in French upon application.

- Note that the Nominee Program will only accept test results from the International English Language Testing System (IELTS) or the Canadian English Language Proficiency Index Program (CELPIP) if submitting results in English, and the Test d'évaluation de français (TEF) if submitting results in French. Test results must be no older than two (2) years at the time of application.
- Demonstrate reasonable knowledge and understanding of the Northwest Territories and its economy;
- Demonstrate reasonable communication skills appropriate to conduct business in the Northwest Territories and to integrate into the local community;
- Have the necessary experience and education to successfully implement the business plan;
- Demonstrate sufficient financial resources to start and operate a business and support themselves and any dependents for the duration of the applicant's Business Performance Agreement;
- Not have an active application with any other provincial or territorial nominee program;
- Not have an active application with any other stream of the Nominee Program in the Northwest Territories as a pathway to permanent residency; and
- Not be a Refugee Claimant.

* Please see *Appendix G: List of Eligible Expenses* to see a listing of eligible investments.

** Net worth must be verified by a Financial Service Provider (see *Appendix E: Third Party Financial Verification*).

Language Testing

Applicants must be able to communicate in one of Canada's official languages, English or French. Applicants supported under the Business stream must undergo mandatory language testing and achieve a minimum language standard of the Canadian Language Benchmark Level (CLB) 4, in either English or French, across all four categories: listening, speaking, reading, and writing. The minimum language standards must all be achieved in one testing session. Test scores for different categories cannot be combined from multiple tests. There are four language tests approved by the Government of Canada. Applicants can write one of the following four tests:

- 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 Canada- to test proficiency in French); or
- The Test de connaissance du français (TCF Canada- to test proficiency in French).

Other language tests or methods will not be accepted. Language tests are valid for two years from the date of the test results.

For the Canadian Language Benchmark (CLB) language test equivalency chart visit: www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/standard-requirements/language-requirements/test-equivalency-charts.htm

Business Concept

Applicants should develop a working business concept and spend time learning about the Northwest Territories, its people, its communities and its economy.

A working business concept can be anything from identifying a business opportunity for purchase to preparation of a full-scale business plan for a new business. It is up to the applicant to determine the scope of work they are willing to invest in their working business concept prior to undertaking the next steps in the process. For more information about which businesses are not permitted under the Nominee Program Business Stream, please refer to *Appendix F: List of Ineligible Businesses*.

If applicants wish to purchase an existing business, the business must have been in continuous operation by the same owner for the previous three (3) years. The number of jobs in the business and the wages associated with those jobs cannot be lowered when the business is purchased. For more information, please see *Appendix C: Purchase of an Existing Business*.

The Nominee Program discourages applicants from making any investment or financial commitment prior to entering into a Business Performance Agreement with the Nominee Program. Any investment made prior to signing a Business Performance Agreement and obtaining a valid work permit will not be recognized towards the required investment of a minimum of \$300,000 CDN equity into starting or buying a business within the corporate boundaries of Yellowknife, Northwest Territories; or a minimum of \$150,000 CDN equity into starting or buying a business outside of the corporate boundaries of Yellowknife, Northwest Territories.

4.2 Step 2: Further Investigations and Face-to-Face Interview(s)

Prior to being invited by Nominee Program staff to submit an application, applicants are required to make at least one (1) business trip to the Northwest Territories, at the applicant's own cost. The purpose of the trip is to gain knowledge of the Northwest Territories business environment and what is required to turn a working business concept into a business plan. The business trip must be for a minimum of four (4) full business days to the location of the business being proposed. Travel days (those to and from the Northwest Territories), interview day(s) and statutory holidays do not count towards those four days.

Once the business trip has been made, applicants are required to participate in one (1) or more face-to-face interviews with Business Stream Nominee Program staff at the Regional Centre located closest to the place of the proposed business. Department of Industry, Tourism and Investment Headquarters and Regional staff that evaluate the interview of the applicant to determine if they are eligible to proceed based on the likely success of the applicant's working business concept, the applicant's knowledge of the Northwest Territories, and the applicant's business and communication skills.

Where possible, interviews can be scheduled for the next business day directly following the completion of the business trip requirement. The proposed business concept that will be discussed during the interview must be briefly summarized and submitted in the online Pre-Interview submission at least twenty four (24) hours prior to the interview. If a applicant submits their online Pre-Interview Submission before their business concept summary is ready, they may submit it via email to NTNP staff at least twenty four (24) hours prior to the interview.

While Nominee Program staff will try to accommodate the needs of applicants in regards to the business trip and interview requirements, scheduling of interviews is at the discretion of the Nominee Program and applicants must plan accordingly.

To request and schedule an interview, please complete the Initial Registration submission in your online NTNP account. Applicants must make interview requests a minimum of two (2) weeks prior to the desired interview date. Once your submission is received, NTNP staff will review the requested dates for the exploratory visit and in-person interview and send a confirmation email if they are able to accommodate the request. If a applicant requires translation services during the time of their interview, they are to make the request in writing (via e-mail) at the time of receiving confirmation of their interview date from NTNP staff.

Where an applicant is proposing to invest in an existing business in the Northwest Territories, the owner of the business must also participate in a separate interview with Nominee Program staff. Please ensure that all contact information for the proposed partner is provided in the Pre-Interview Submission.

Please note that interviews will not be scheduled on statutory holidays or for any dates commencing the third week of December to the end of the second week of January.

Applicants must complete the Pre-Interview Submission on their online NTNP account a minimum of one (1) week prior to the first interview. In the Pre-Interview Submission, applicants will need to upload language test results confirming achievement of a minimum language standard of the Canadian Language Benchmark Level (CLB) 4, in either English or French, across all four categories: listening, speaking, reading, and writing.

The purpose of the interview(s) is to review the applicant's working business concept, assess their knowledge of the Northwest Territories, and assess their business and communication skills. The applicant must bring a summary of their findings from the exploratory visit to the Northwest Territories (applicants may wish to use Appendix B: Visit Summary Template) to the interview and should be prepared to speak about the research undertaken during their exploratory visit, including detailed information regarding who they met with, what was discussed and how such meetings contributed to the applicant's knowledge of the doing business in the Northwest Territories and the development of their business concept. The prescribed criteria will be evaluated at the interview.

Applicants must complete the “My Representative” section of their online NTNP profile if they would like to authorize an unpaid or paid Immigration Representative who will be able to act on your behalf throughout the Nominee Program application process. Please note that Immigration Representatives will not be permitted to take part in a applicant’s interview(s). No exceptions will be made. Applicants do not need to hire or use an Immigration Representative to apply to the Nominee Program.

Following the interview, the applicant will hear the results of their Pre-submission. If the Department of Industry, Tourism and Investment

- is satisfied with the information provided;
- approves the applicant’s business concept based on its ability to provide value to the Northwest Territories;
- is satisfied the applicant has the requisite business and communication skills; and
- believes the applicant is sincere in their desire to move to and settle in the Northwest Territories;

The applicant will be invited to formally apply to the Nominee Program.

A formal invite does in no way guarantee that an application will be approved or that a work permit support letter will be issued. It is the applicant’s responsibility to make the case for their business concept in their full, detailed business plan. The business plan must be supported by substantial local market research and evidence that their proposed business has the ability to contribute to the local economy and is economically viable in the Northwest Territories over the long term.

4.3 Step 3: Submitting a Formal Application

A formal application requires that all sections in the “Formal Application Submission” of an applicant’s NTNP online account are complete and all required documents are attached. Applicants should be prepared to upload the following documents when submitting their formal application:

- Birth Certificates for the applicant and all accompanying dependents;
- Adoption Certificate (if applicable) for dependent children if accompanying the applicant to Canada;
- Passport pages containing photo and biographical data, visitor visa, stamp of entry to Canada and last page containing signature for applicant and all accompanying dependents;
- National Identity card for the applicant and all accompanying dependents;

- Marriage Certificate or Statutory Declaration of Common-Law Union completed by the applicant (if applicable);
- Divorce or Death Certificate, and resulting custody agreements (if applicable) for dependent children if accompanying the applicant to Canada; and
- Education certificates for the applicant demonstrating proof of past studies.

The application has six (6) months from the date of the letter of invitation to apply. Only complete applications can be submitted. The following items must also be submitted:

- a detailed business referred to in Appendix D of these guidelines;
- the Third Party Financial Verification Report referred to in Appendix E of these guidelines; and
- the Settlement plan referred to Appendix H of these guidelines.

All mentioned personal identification documents must be notarized true copies or they will not be accepted (see Section 9.1 Certified True Copies).

The Nominee Program discourages applicants from making any investment or financial commitment prior to entering into a Business Performance Agreement with the Nominee Program. Any investment made prior to signing a Business Performance Agreement and obtaining a valid work permit will not be recognized towards the required investment of a minimum of \$300,000 CDN equity into starting or buying a business within the corporate boundaries of Yellowknife, Northwest Territories; or a minimum of \$150,000 CDN equity into starting or buying a business outside of the corporate boundaries of Yellowknife, Northwest Territories.

Applicants must have Legal Status in Canada in order to apply to the Nominee Program from within Canada. If an applicant does not have or is unable to obtain Legal Status in Canada, the applicant must apply to the Nominee Program from a country outside of Canada.

4.4 Step 4: Application Review

A applicant will not be able to submit their complete application without the Third Party Financial Certification Report (Appendix E). Please refer to Appendix E: Third Party Verification for the process. Costs associated with obtaining the Third Party Financial Verification are to be paid directly by the applicant.

Both the applicant and the business plan will be reviewed against the eligibility criteria. If required, Nominee Program staff may request additional documentation and/or an additional interview to verify information within the application. Such

requests are made at Nominee Program staffs' discretion, and any costs incurred will be the responsibility of the applicant.

The Department of Industry, Tourism and Investment reserves the right to deny an application, at any step in the application and assessment process, where it determines that an applicant is, for any reason, ineligible.

Applications are reviewed based on a number of criteria including but not limited to the following:

- Ability of the business to create jobs for local residents;
- Ability of the business to be sustainable in the Northwest Territories over the long term based on local market research;
- Ability of the business to provide significant economic benefits to the Northwest Territories based on local market research;
- Ability of the applicant to successfully implement the business based on their skills and past experience; - Ability of the applicant to successfully implement business based on the realistic nature of the submitted business plan;
- Accurate financial statements, with substantiation, in the submitted business plan; and - Ability of the applicant to successfully carry out the Settlement Plan referred to in Appendix H.

Once a review of the application is complete, Nominee Program staff will make a recommendation to accept or deny the application. The recommendation is made to the Assistant Deputy Minister of the Department of Industry, Tourism and Investment who will make the final decision to accept or deny the application.

4.5 Step 5: Business Performance Agreement

If an application is accepted, Nominee Program staff will advise the applicant in writing and begin developing a Business Performance Agreement with the applicant. The Business Performance Agreement contains the terms under which the applicant will execute the business plan and is based off the business plan submitted in *Step 3: Submitting a Formal Application*. Unless otherwise agreed upon with Nominee Program staff, an applicant has thirty (30) days to review, sign and return the Business Performance Agreement. Failure to return to the signed Business Performance Agreement within the required timeframe may result in closure of an applicant's Business Stream file.

Once the Business Performance Agreement is signed, the Department of Industry, Tourism and Investment will provide the applicant with a letter of support for a two (2) year temporary work permit. The applicant must provide the letter of support, their business plan and their signed Business Performance Agreement to the

Government of Canada when making an application for a temporary work permit.

Residency is a key requirement of the Nominee Program. In order to fulfill the Business Performance Agreement, applicants must demonstrate that:

- They reside within 100 kilometers of the business they operate in the Northwest Territories; and
- They have been resident in the Northwest Territories for at least 75% of the time while on a temporary work permit.

Implementation and operation of the business is a key requirement of the Nominee Program. In order to fulfill the Business Performance Agreement, applicants must:

- Open and operate their business for at least 12 months;
- Periodically complete the Business Performance Agreement Interim Report sections of their NTNP online account; and
- Complete the Business Stream Final Report section of their NTNP online account once eligible.

A letter of support from the Department of Industry, Tourism and Investment of the GNWT does not guarantee the applicant will be approved by the Government of Canada for a temporary work permit.

Immigration, Refugees and Citizenship Canada Review and Approval: Temporary Residency

The applicant will complete the Government of Canada application for a temporary work permit. Detailed information is available on the Immigration, Refugees and Citizenship Canada website. The length of time for the Government of Canada to process an application for a temporary work permit varies. Information on in-Canada and outside of Canada processing times can be found on Immigration, Refugees and Citizenship Canada's website at:

www.cic.gc.ca/english/information/times/temp.asp

4.6 Step 6: Developing the Business

Upon arrival in Canada, an applicant has sixty (60) days from the date that appears as the "date signed" on the Government of Canada temporary work permit to complete the "Arrival Report Submission" in their online NTNP account and meet with Nominee Program staff for their arrival interview. The applicant must also upload all required documents when completing the Arrival Report submission in their online NTNP account; including a bank statement from a Canadian financial institution demonstrating that the applicant has arrived in the Northwest

Territories with the full amount required to cover the required eligible investment noted in their Business Performance Agreement. Failure to complete the Arrival Report Submission by the noted deadline and/or failure to provide all required documentation is a breach of an applicant's Business Performance Agreement, and may result in the GNWT closing the applicant's file. In addition, the GNWT reserves the right to defer an applicant's Commencement Date until the complete submission of the applicants Arrival Report has been provided.

An applicant has twelve (12) months from the date they complete their online Arrival Report Submission in their online NTNP account to develop their business and invest the required eligible investment, as described in their Business Performance Agreement. The applicant will be eligible for nomination during the nineteenth (19th) month after the Commencement Date as defined in the Business Performance Agreement, unless otherwise agreed by the GNWT. It is a condition of the Business Performance Agreement that by the nineteenth (19th) month after the Commencement Date the Business must be operating for at least twelve (12) months before an applicant can be eligible for nomination.

Should an applicant require more than twelve (12) months to make the required eligible investment, a request can be made in writing, for an extension to the Department of Tourism, Industry and Investment, NTNP. Unless agreed to by the Department of Tourism, Industry and Investment, failure to make the required eligible investment by the twelve (12) month deadline is a breach of an applicant's Business Performance Agreement, and may result in the GNWT closing the applicant's file or refusing to nominate the applicant at the end of an applicant's Business Performance Agreement.

An applicant must complete the business Performance Agreement Interim Report section of their online account every six (6) months. A key requirement of the Business Performance Agreement Interim Report submission is providing proof of spending for the required eligible investment. In order for an applicant to demonstrate they have made their required eligible investment, they must submit clear, verifiable invoices for the amounts listed under Appendix A in their Business Performance Agreement. In the case where invoices cannot be verified as an eligible expense for the purpose of fulfilling the required eligible investment, they will not be counted towards the required spending. Failure to provide periodic Business Performance Agreement Interim Report submissions with all required documentation by the noted deadlines is a breach of an applicant's Business Performance Agreement, and may result in the GNWT closing the applicant's file or refusing to nominate the applicant at the end of an applicant's Business Performance Agreement.

Business Stream Nominee Program staff will monitor progress and meet with the applicant from time to time. It is the responsibility of the applicant to make themselves available to NTNP staff for the purpose of monitoring the development and ongoing operations of their business. It is also the responsibility of the applicant to respond to NTNP staff requests for information in a timely manner. Failure to respond to requests for information or to cooperate with NTNP staff's monitoring efforts may be taken into consideration when determining an applicant's final nomination eligibility.

Applicants must demonstrate that they are actively managing and accountable for the day-to-day operations of the business in the Northwest Territories. Active management at the place of business in the Northwest Territories is a mandatory requirement of the Nominee Program. NTNP staff monitor an applicant's management role in their business through planned and unplanned site visits. Failure to be present at the business on various occasions and/or failure to adequately demonstrate that an applicant is active in managing the day-to-day operations of their business is a breach of the Business Performance Agreement, and may result in the GNWT closing the applicant's file or refusing to nominate the applicant at the end of an applicant's Business Performance Agreement.

If at the end of an applicant's Business Performance Agreement term, NTNP staff has determined that the applicant has not fulfilled the requirements of their Business Performance Agreement then the GNWT may choose to refuse the applicant's nomination. In addition, the GNWT may withdraw the letter of support at any time if the Nominee or any of their dependents are deemed inadmissible to Canada by Immigration, Refugees and Citizenship Canada, if it is determined that false or misleading information was provided in the application, or if the Government of the Northwest Territories finds that the Nominee no longer meets the requirements for nomination.

The Department of Industry, Tourism and Investment may consider supporting the extension of an applicant's temporary work permit in order to allow the applicant further time to be successful in their business.

4.7 Step 7: Nomination

Unless otherwise agreed upon by Nominee Program Staff, applicants will be eligible to complete their "Final Report" submission in their NTNP online account during the nineteenth (19th) month of their Business Performance Agreement term. Once NTNP staff has evaluated an applicant's Final Report submission and determined that an applicant has fulfilled all of the requirements of their Business Performance Agreement, the applicant will be required to take part in a final exit interview with NTNP staff.

The purpose of the exit interview is to discuss the applicant's time in the Northwest Territories over the past two (2) years and their current and future plans for their business. NTNP staff will also use the exit interview as an opportunity to determine the likelihood of an applicant's continued settlement in the Northwest Territories post-nomination.

If NTNP staff decide to recommend an applicant's nomination, the Government of the Northwest Territories will issue a nomination certificate to the applicant upon approval by the Director of Business Support and Trade of the Department of Industry, Tourism and Investment. Once an applicant has been nominated, they may apply to Immigration, Refugees and Citizenship Canada for Permanent residency. The Nominee must submit their application for Permanent residency to Immigration, Refugees and Citizenship Canada within six (6) months of the date of nomination indicated on the nomination certificate. Nominations are valid for six (6) months and the Government of the Northwest Territories does not grant extensions.

The Government of the Northwest Territories may withdraw the nomination at any time if the Nominee or any of their dependents are deemed inadmissible to Canada by Immigration, Refugees and Citizenship Canada, if it is determined that false or misleading information was provided in the application, or if the Government of the Northwest Territories finds that the Nominee no longer meets the requirements for nomination.

Following nomination by the Government of Northwest Territories, the Nominee and accompanying family members must apply to Immigration, Refugees and Citizenship Canada of the Government of Canada for Permanent residency. They must satisfy Immigration, Refugee and Citizenship Canada's health, security, and criminal requirements. The Nominee Program is not responsible for Immigration, Refugees and Citizenship Canada's decision to grant or deny a temporary work permit or Permanent Residency status.

The Immigration, Refugee and Citizenship Canada application for Permanent residency is separate from the Nominee Program process and will take additional time to complete. The length of time to process an application varies depending on which country the applicant is applying from.

5.0 Application Denial

If an application is denied, a letter will be sent to the applicant (or Immigration Representative if applicable) by e-mail notifying them that the application has been denied and including the reasons for the denial.

Reasons an application may be denied include:

- The applicant does not meet the program criteria;
- The business will not generate value for the Northwest Territories;
- The applicant did not submit the required information or documentation within the prescribed time limit;
- The applicant no longer resides in the Northwest Territories;
- The applicant is not in compliance with the terms of their Business Performance Agreement;
- The application is inadequate, outdated or expired; or
- There has been misrepresentation or fraud in the application.

Other reasons for denying an application may be referenced in the denial letter.

A decision to deny an application is final and there is no appeal process in the event you are refused. If an applicant is unsuccessful they may reapply nine (9) months from receipt of notice that their application has been denied.

If the applicant reapplies based on the same business concept they must start at *5.2 Step 2: Further Investigation and Face-to-Face Interview(s)* of *Section 5.0: Application Steps* and prove that:

- a. Their situation has changed substantially;
- b. They have new information to submit; or
- c. Some combination of (a) and (b) above applies.

6.0 NTNP Online Application

It is important to complete all sections for every submission in an applicant's NTNP online account. If a section does not apply, indicate "Not Applicable" or "N/A". Answer all questions and upload all attachments unless indicated otherwise. Any submission with incomplete information or missing mandatory documentation will automatically result in the entire application being deemed incomplete for purposes of review. Online submissions may only be provided by the applicant or by their authorized Immigration Representative. In all instances, the applicant must have full knowledge and understanding of the information submitted – failure to be so informed may result in an application being denied.

6.1 BNP Initial Registration

This section of a applicant's online account is used to collect the relevant information and pay the non-refundable application fee needed to initiate the first steps of the Business Stream application process.

6.2 NTNP-05 Authorize or Cancel a Representative

This form is used to name an authorized Immigration Representative (such as an Immigration Consultant, lawyer, friend, or family member), whether paid or unpaid, to act on behalf of the applicant with Nominee Program staff, or to cancel the authorization of a Representative previously named. If a applicant would like to authorize a Representative to act on their behalf they must complete the "My Representative" tab in their online NTNP account and upload a signed copy of the NTNP-05 form. Applicants do not need to hire or use an Immigration Representative to apply to the Nominee Program. Using an Immigration Representative will not secure special attention or guarantee approval.

6.3 BNP Pre-Interview Submission

This section of a applicants online account is used to collect the necessary information to conduct the Step 2: Further Investigations and Face-to-Face interview; including a summary of the business concept being proposed and proof that an applicant has reached the minimum required language level in English or French.

6.4 NTNP-04 Personal Statement of Financial Affairs

This form is used to collect the relevant information from the applicant on their accumulation of funds prior to being accepted into the Nominee Program. It must be submitted as an attachment along with the Third-Party Financial Verification Report when completing the "Formal Application Submission" in an applicant's online NTNP account.

6.5 BNP Formal Application Submission

This section is used to submit a formal Business Stream application to the Department of Industry, Tourism and Investment. The Formal Application Submission collects information such as the full, detailed business plan, third-party financial verification report and personal identification documents for the applicant and dependents.

6.6 BNP Arrival Report Submission

This section is used to submit to the Department of Industry, Tourism and Investment proof that the applicant has arrived in the Northwest Territories and meets the Nominee Program requirements. Applicants submitting their online Arrival Report will also use this section to schedule the mandatory arrival in-person interview with Nominee Program staff.

6.7 BNP Business Performance Agreement Interim Report Submission

This section is used as a monitoring tool for Nominee Program staff to assess if an applicant is fulfilling their Business Performance Agreement commitments. It requires an applicant to provide periodic information on their business operations in the Northwest Territories. It must be submitted online every six (6) months.

6.8 BNP Final Report Submission

The Government of the Northwest Territories will provide access to this section of an applicant's NTNP online account once they are eligible. Unless otherwise agreed upon by the Government of the Northwest Territories, an applicant will be eligible to complete the Final Report section during the nineteenth (19th) month after the Commencement Date. The Final Report is part of the final assessment used by Nominee Program staff to determine if an applicant has successfully completed their Business Performance Agreement and if they are eligible for nomination.

6.9 Application Closure due to Inactivity

Applicants who have started an NTNP online form, but have not submitted a case in the last 60 days, will be automatically deleted by the online system.

7.0 Document Submission

7.1 Language of Documents

The Nominee Program will accept documents in both English and French. Documents that are not in English or French must be translated into either English or French and include an affidavit from the individual who completed the translation. Where a translation is supplied, the applicant must also include the original or a certified true copy of the document and an affidavit from the translator describing their translation ability.

7.2 Certified True Copies

To provide the Nominee Program with certified true copies an authorized person must compare the original document to the photocopy you expect to submit. The authorized person must include the following information on the certified true copy:

- The phrase “I certify that this is a true copy of the original document”;
- The name of the original document;
- The date of the certification;
- The name of the person certifying the document;
- The certifying person’s official position or title; and
- The certifying person’s signature.

7.3 Who can Certify Documents

You can get your documents certified in Canada or outside of Canada. The Nominee Program will only accept certified documentation in Canada from:

- a commissioner of oaths (authority to certify varies by province and territory),
- a notary public; or
- a justice of the peace.

The Nominee Program will accept certified documentation from outside of Canada from:

- a judge;
- a magistrate;
- a notary public;
- an officer of a court of justice; or
- a commissioner authorized to administer oaths in the country in which the commissioner is living.

Note: Regardless of their professional or legal standing, employers, friends, and

family members may not certify copies of your documents.

8.0 Definitions

Business Performance Agreement: An agreement between an applicant and the Government of the Northwest Territories under which the applicant will execute the applicant's business plan approved by the Nominee Program.

Business Stream: To assist Foreign Nationals to establish a business or purchase, or invest in, an existing business that is approved primarily on the basis of its ability to create jobs for the Foreign National and Canadians.

Canada-Northwest Territories Agreement on Territorial Nominees: The agreement between the Northwest Territories and Canada that allows the Northwest Territories to nominate Foreign Nationals for Permanent residency to Canada in the Northwest Territories.

Department of Education, Culture and Employment: A Government of the Northwest Territories Department that delivers the Employer-Driven streams of the Nominee Program.

Department of Industry, Tourism and Investment: A Government of the Northwest Territories Department that delivers the Business Stream of the Nominee Program.

Financial Service Provider: An individual or firm identified by the Nominee Program to provide the *Third Party Financial Verification Report* required as part of an application under the Nominee Program.

Foreign National: A person who is not a permanent resident or citizen of Canada and is a citizen of another country.

Immigration Classes: Immigration categories determined by Immigration, Refugee and Citizenship Canada and are: Family Class, Economic Class, Skilled Worker Class, Business Class, and Provincial Nominee Class. For more information on each class, please see Immigration, Refugees, and Citizenship Canada at: ECE

Immigration, Refugees and Citizenship Canada: A Government of Canada Department that is authorized to sign agreements with provincial/territorial governments to facilitate the coordination and implementation of immigration and refugee protection policies and programs such as the Nominee Program. Final authority rests solely with the Government of Canada in issuing Immigration Visas, Permanent residency, and granting Canadian citizenship.

Immigration Representative: An individual, paid or unpaid, who a applicant or applicant appoints to conduct business on their behalf with the Nominee Program.

Income: Includes total part-time and/or full-time wages, salaries, bonuses, overtime, benefits from the Government of Canada or other agencies, and income tax refunds. Income is calculated after taxes. Income does not include lottery winnings.

Legal Status: Having legal status means you are authorized to enter and remain in Canada as a temporary or permanent resident under the *Immigration and Refugee Protection Act*. Temporary resident status is valid for a specific period of time and you must ensure that your status as a temporary resident remains valid while you are in Canada.

Nominee: A Foreign National who has been nominated by the Government of the Northwest Territories under the Nominee Program.

Nominee Program: An immigration program that allows the Northwest Territories to nominate Foreign Nationals to Immigration, Refugees and Citizenship Canada for Permanent residency in Canada.

Permanent Residency: A permanent resident is someone who has been given permanent resident status by the Government of Canada, but is not a Canadian citizen. Permanent residents are citizens of other countries.

Refugee Claimant: A refugee claimant is a person who has not yet received Legal Status from the Government of Canada. They are in the process of making a refugee claim and are working through the refugee determination process.

Appendix A: Résumé Template

The business and employment history should cover the applicant's experience for the last ten (10) years (if applicable).

Applicant Information

- Applicant's Name
- Mailing Address
- Telephone
- E-mail
- DOB
- Accompanying family members names

Education / Training

- Educational institution
- Month, year – month, year
- Degree/certificate/diploma attained

Business and Employment History

- **Current Company Name:**
 - Shares / ownership %
 - A brief synopsis of the business (i.e., products or services and the number of employees)
 - Applicant's current title
 - Month, year – month, year
 - Number of employees that report directly to the applicant
 - Duties and responsibilities
 - Applicant's previous title
 - Month, year – month, year
 - Number of employees that reported directly to the applicant
 - Duties and responsibilities
- **Previous Company Name:**
 - Shares / ownership %
 - Brief information about the business, such as products or services and the number of employees.
 - Title #1
 - Month, year – month, year
 - Number of employees that reported directly to the applicant
 - Duties and responsibilities:
 - Title #2
 - Month, year – month, year
 - Number of employees that reported directly to the applicant
 - Duties and responsibilities

Appendix B: Visit Summary Template

The information provided should relate to the applicant's visit to the Northwest Territories and subsequent interview with Regional and Headquarters staff of the Department of Industry, Tourism and Investment. A suggested template is as follows:

Applicant Information

- Applicant's name
- Mailing Address
- Telephone
- E-mail

Visit information *(please fill out for every meeting, individual or group, held)*

- Individuals contacted and met with
- What company/organization they represent
- Date (DD/MM/YY)
- Business opportunities investigated
- What other items of interest were discussed

Findings

This should be a brief description of overall findings and how they relate to the business opportunity the applicant wishes to invest in.

Appendix C: Purchase of an Existing Business (If Applicable)

When purchasing an existing business in the Northwest Territories it must have been in continuous operation by the same owner for the previous three (3) years. The number of jobs in the business and the wages associated with those jobs cannot be lowered when the business is purchased. As well, applicants must:

- Identify how the business will be improved, upgraded and/or expanded; and
- Identify how the business will generate a profit.

Eligible investments toward improving, upgrading and/or expanding a business may include new capital purchases and equipment, leasehold improvements, introductions of new technology, job creation, etc. This may also include creating new employment, investing in improvements and/or upgrades to the business, introducing new products and/or services, etc.

Establishing a new location of an existing business will not be considered as an eligible improvement or expansion. As well, 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 licenses, etc.

Please note that the Government of the Northwest Territories reserves the right to request a full business valuation assessment. The assessment must be completed by an independent chartered business valuator and be included with the business plan. When requested, an application will be considered incomplete and will not be evaluated until the business valuation assessment has been submitted.

Copies of the following documents must be supplied:

- Most recent two (2) years of financial statements for the existing business including balance sheets and income statements;
- Copy of the business' most recent T4 summary;
- Documentation showing the business' current owners and ownership structure, such as a share registry and incorporation documents;
- Copy of the Northwest Territories business licence;
- Evidence that efforts have been made to establish a fair market value for the business. Provide a description of due diligence performed and negotiations with the vendor to arrive at the final purchase price. If a business valuation has been completed by a professional, submit the report; and
- Purchase agreement or memorandum of understanding to purchase an existing business.

Please note that the Government of the Northwest Territories reserves the right to request any additional documentation deemed necessary to properly assess the eligibility of an application to purchase an existing business.

- The following are not considered eligible investments when purchasing an existing business: Cash and/or working capital;
- Wage payments made to the applicant and their family members, if applicable; and
- Any investment(s) or financial expenditures made prior to the date of the invitation to apply.

Franchises may be considered if they meet the same criteria as noted above and are well-established.

The Nominee Program is based on the expectation of a long-term intention to operate a business in the Northwest Territories. The Nominee Program and/or Immigration, Refugees and Citizenship Canada may verify that the business is active at any time until a decision is reached regarding the Permanent residency application by a applicant.

Appendix D: Business Plan Considerations

The business plan must be a coherent and considered plan for successful settlement and business development in the Northwest Territories. In developing a business plan, the applicant must conduct extensive research and consider relevant economic and market factors. The applicant must also take into account his or her management strengths and weaknesses.

The business plan must include, but is not limited to, the following information:

- Proposed business name and a description of the business concept;
- Business ownership information – partnership, proprietorship, corporation, franchise, acquisition;
- Proposed industry/sector, applicants must indicate the:
 - industry sector code(s) that best relates to their proposed investment (per the North American Industry Classification (NAICS)); and
 - Occupation code(s) that best relate to their experience and skill level (per the National Occupation Classification (NOC) system).
- Proposed location for the business (e.g., city/town);
- Plans for establishing residence in the Northwest Territories;
- Management contribution the applicant will make with respect to the proposed business (e.g., sales, distribution, production, research and development, etc.) noting that the applicant is expected to be an active, on the ground, owner/operator of the business;
- Proposed investment amount and detail of how it will be spent;
 - Note that applicant and family member's salaries are ineligible expenses towards the overall required eligible investment.
- Three (3) years of forecasted financial information that includes, but is not limited to, the following information:
 - Income statements;
 - Balance sheets;
 - Detailed monthly cash flow for year one (1);
 - Detailed yearly cash flows for years two (2) and three (3); and
 - Substantiation for all forecasted financial data.
- Number of jobs to be created for Northwest Territories residents;
 - Business plans must include the applicant's plan to hire a minimum of one (1) full-time employee and one (1) part-time employee if the business is to be located within the corporate boundaries of Yellowknife, Northwest Territories; or
 - One (1) full-time or two (2) part-time employees if the business is to be located outside of the corporate boundaries of Yellowknife.

- Significant local market research performed supporting the feasibility of your business plan and overall economic viability of your business.
- Any additional supporting market analysis (SWOT analysis, etc.);
- The name, organizations, mailing addresses, telephone numbers, and e-mail addresses of contracted professional business service providers whom the applicant has contacted and/or with whom the applicant has established an active working relationship or paid contractual agreement; and
- A summary of the people contracted or consulted with in the preparation and/or compilation of the business plan, including the name, organization name, mailing address, e-mail address and telephone number of each.

The Nominee Program recognizes that the business plan is a business proposal and it is therefore likely and expected that market conditions and opportunities may change over the course of the application process. However, it is necessary that an applicant ensure that the information provided in their business plan is reflective of current market conditions at the time of submission. It is important to note that the profitability of the business plan will not be evaluated; rather the Nominee Program will assess the feasibility demonstrated throughout the business plan.

The Nominee Program expects that a applicant has complete knowledge of his or her business plan. In the event that the applicant is unaware of his or her business plan contents, the application may be denied.

Appendix E: Third Party Financial Verification

Applicants must upload a complete NTNP-04: Personal Statement of Net Worth and Third Party Financial Verification Report with their Formal Application Submission in their online NTNP account. . The *Third Party Financial Verification Report* is a required part of the application. The Nominee Program uses a third party Financial Service Provider for financial verification support.

Failure to provide satisfactory evidence to verify your personal net worth, the source of funds and the legal accumulation of funds will result in the denial of your application.

It is the responsibility of the applicant to provide all requested documentation to the third party financial service provider in a timely manner, as to ensure that the *Third Party Financial Verification Report* will be completed in accordance with the application deadline.

The cost of preparation of the *Third Party Financial Verification Report* is not included in the application fee and it is the responsibility of the applicant to pay this cost directly to the Financial Service Provider. The Department of Industry, Tourism and Investment is not responsible for the cost of preparation of the *Third Party*

Financial Verification Report.

The *Third Party Financial Verification* process is as follows:

- Applicants who have been formally invited to apply to the Nominee Program will be assigned a file number in their letter of invitation;
- Only applicants who have received a file number will be accepted for review by a Financial Service Provider;
- The Nominee Program will identify a list of the Financial Service Providers the Applicant may use;
- Applicants must contact their preferred approved Financial Service Provider within one (1) month of receiving their letter of invitation;
- Once the Financial Service Provider has been identified, the applicant must submit all required documentation directly to the Financial Service Provider. All assets and liabilities and their accumulation must be identified, accompanied by supporting documentation including statements, bank account information, and property evaluations;
- Applicants must prove the legal accumulation of funds that comprise their net worth;
- An applicant must provide his or her consent for the Financial Service

Provider to share a copy of the *Third Party Financial Verification Report* with the Nominee Program; and

- Upon completion of the review, the Financial Service Provider will provide the *Third Party Financial Verification Report* to both the Nominee Program and the applicant for their Formal Application Submission.

Appendix F: List of Ineligible Businesses

The following businesses are considered ineligible under the Nominee Program Business Stream:

- Restaurants proposed within the city limits of Yellowknife;
- Seasonal businesses operational for less than six (6) months per year;
- Bed and Breakfasts;
- Property Management;
- Real Estate Development;
- Home based businesses;
- Non-profit organizations and associations;

Any business that has the same listed head office as another registered business;

- Payday loan, cheque cashing, money changing and cash machine businesses;
- Pawnbrokers;
- Businesses previously owned or operated in the last five (5) years by current or former Nominee Program business stream nominees;
- Any immigration linked investment scheme pursuant to *Immigration and Refugee Protection Regulations* (“IRPR”), section 87(5)(b);
- Any business where the terms of investment include a redemption option pursuant to IRPR, section 87(6)(d);
- A business that by association would tend to bring the Nominee Program or the Government of the Northwest Territories into disrepute.

Appendix G: List of Eligible Expenses towards the Required Investment

The following list of expenses is eligible to be counted towards the total required eligible investment:

- Cash and working capital up to a maximum of \$10,000 (ineligible expense when purchasing an existing business – please refer to Appendix C: Purchasing an Existing Business);
- A reasonable amount of inventory required for a start-up when opening a new business;
- Four (4) months of operating expenses when opening a new business (lease, wages, utilities, advertising, etc.);
- Three (3) months of operating expenses when purchasing an existing business;
- The purchase of vehicle up to a maximum price of \$25,000;
- Only the established fair market value purchase price of an existing business (i.e. a purchase price established on future projections will not be eligible);
- Cost of Renovations and leasehold improvements

It is important to note that investment must be made in the Northwest Territories wherever possible. Expenses incurred by sourcing inventory, building materials, etc. will be ineligible in such cases where the materials are available in the Northwest Territories.

Appendix H: Settlement Plan

Long-term settlement is a key requirement of the Business Stream of the NTNP. Business Stream applicants must include a detailed settlement plan outlining how the applicant plans to move and settle their family in the Northwest Territories. The settlement plan is to be included with an applicants formal application submission and must include details regarding the following sections:

- Travel
- Moving logistics and timelines;
- Accommodation;
- Transportation;
- Employment plans for accompanying dependents (if applicable);
- Social System Access (acquiring a driver’s license, health care card, etc.);
- Household (i.e. rent/lease, budget for food, phone, TV, internet, heat and electricity);
- Finances (i.e. available funds for settlement, opening a Canadian bank account, plans for transferring the full amount of the required eligible investment);
- School/Child Care for accompanying dependents (if applicable);
- Plans for Language training;
- Plans for integration into the community; and
- Timelines for each stage of the settlement plan.

Business Stream Applicants are not eligible to access Immigration, Refugee and Citizenship Canada funded settlement services until they have received Permanent Resident status in Canada. However, there are a number of local resources applicants can access that may be helpful in developing a settlement plan:

- A Foreign Nationals Guide to Doing Business in the NWT – [\[link\]](#)
- “Welcome to the NWT” Guide – [\[link\]](#)
- The NWT Literacy Council – Integration Literacy Coordinator;
- College Nordique – English as a Second Language classes;
- Fédération franco-ténoise (Specific to Francophone applicants); and
- Conseil de développement économique des Territoires du Nord-Ouest (CDETNO – specific to Francophone applicants).