

BRITISH COLUMBIA PROVINCIAL NOMINEE PROGRAM

ENTREPRENEUR IMMIGRATION

POST-ARRIVAL GUIDE

In the event of a discrepancy between the BC PNP Entrepreneur Immigration Post-Arrival Guide and the BC PNP Entrepreneur Immigration Base Stream Program Guide or the BC PNP Entrepreneur Immigration Regional Stream Program Guide, the applicable program guide shall be considered correct.

For more information, please contact:

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E-mail: <u>en.imm@gov.bc.ca</u>

Website: www.WelcomeBC.ca/PNP

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Updates to This Edition

The following list outlines the updates made to the BC PNP Entrepreneur Immigration Post-Arrival Guide.

May 27, 2024:

- 1. Edited to remove references to "pilot" now that the Regional stream is an ongoing part of the BC PNP, and to make minor corrections
- 2. Updated section on progress reporting
- 3. Minor corrections to Appendix A



Part 1: Preparing to Arrive in British Columbia

After you have signed a performance agreement, the BC PNP will issue you a letter of confirmation which you can use to apply to Immigration Refugees and Citizenship Canada (IRCC) for a work permit. Along with your letter of confirmation, you will receive instructions outlining how to register with the IRCC Employer Portal and how to submit your work permit application. 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). Please note that the age(s) of your dependent children, if applicable, are "locked in" for the purpose of federal immigration requirements at the time of registration to the BC PNP and cannot be changed. For more information on federal requirements regarding the age of dependent children, please see IRCC's website.

It is your responsibility to meet IRCC application requirements. You will be required to demonstrate in your work permit application that you will provide significant economic benefit to Canada. You should provide supporting documents that reflect your ability to set up as an entrepreneur or your work permit may be refused.

Part 2: Arrival Report



Arrival Report Overview

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

If you do not arrive in B.C. within the 365-day period following the date of your letter of confirmation, your file will be closed.

The date you arrive in Canada and are issued your work permit (the "date issued" on your Government of Canada work permit) is your "commencement date" for the purpose of your performance agreement. The milestones of your performance agreement are calculated from that date, such as the expected timing of your Arrival Report and Final Report.



Within 60 days of your commencement date (the "date issued" on your work permit), you must submit an arrival report to the BC PNP. The arrival report provides basic information about your updated contact information in B.C., your work permit, and whether you transferred the requisite funds into a financial institution in B.C.

Arrival Report Supporting Documentation

You must include all applicable supporting documentation identified below:

Applicant Personal Information		
	Your work permit	
	Dependant's work permit or study permit(s) (if applicable)	
	Proof of funds documentation	
	Proof that the funds deposited in B.C. came from your own personal assets	

You are required to demonstrate that you have the funds available to make the minimum eligible personal investment in your business. You must also provide supporting documents to show that these funds come from your personal assets and have not been provided to you by a third party. Your transaction histories should demonstrate that any funds deposited in your B.C. bank account have been transferred from your own personal foreign accounts.

If you applied under EI-Base, you are required to include proof that \$200,000 CAD has been transferred to a bank account in B.C.

If you applied under EI-Regional, you are required to include proof that \$100,000 CAD has been transferred to a bank account in B.C.

If you are using the services of a representative, you must submit the BC PNP <u>use of a representative form</u>. The form must be signed and dated by both you and your representative within the last 12 months.

Please refer to the <u>applicable program quide</u> for information.



Submitting Your Arrival Report

You must submit your arrival report through your BCPNP Online dashboard. Paper or email reports will not be accepted and will be returned unprocessed.

- upload the requested documents as PDF or JPG files in the appropriate field of the attachments tab
- reduce individual file size to less than 3 MB

If you experience technical difficulties, please contact our office at en.imm@gov.bc.ca (include a screenshot of the error message).

Once your arrival report has been successfully uploaded, the BC PNP will send you an e-mail to confirm it was received. If anything is outstanding or unclear, our office may contact you to request further information or clarification. Failure to submit the arrival report and the required documentation within 60 days of your commencement date (the "date issued" on your work permit) may impact your application.

Part 3: Progress Reporting

Progress Reporting Overview

During the business establishment period, you must ensure that you closely follow and adhere to the terms and conditions outlined in your signed performance agreement. You are responsible for ensuring that your business is complying with <u>BC Employment Standards Regulations</u>. You must immediately inform the BC PNP, through your Program Advisor or <u>en.imm@gov.bc.ca</u>, of any event that may delay or prevent you from meeting the terms of your performance agreement, including changes in business operations or immigration status.

You must cooperate with the BC PNP's monitoring activities. These activities will help keep you on track by reviewing your progress towards compliance with the expectations set out in your performance agreement.

Post-Arrival Progress Check-in - Base

If you applied through the EI – Base stream, you are required to submit a post-arrival progress check-in no later than 365 days (12 months) following your work permit issuance date. The post-arrival progress check-in allows you to describe your involvement in the community and your progress in establishing your business.



You must submit your post-arrival progress check-in through your BC PNP dashboard. You will be asked for an update on business operations and progress towards meeting the terms of the Performance Agreement, such as:

- 1. Legal name of the business (and operating name, if different from legal name)
- 2. Incorporation date
- 3. Business address
- 4. Type of business
- Business license type and date issued
- 6. Business email
- 7. Business telephone number
- 8. Business website (if applicable)
- 9. Business opening date (if applicable)
- 10. Investment made so far (approximate)
- 11. Number of employees so far, excluding yourself and your family members (if applicable)
- 12. Describe your progress in establishing your business

Additionally, please indicate which (if any) community services you and your family have accessed since you arrived:

- Settlement services
- Chamber of Commerce
- Language training
- Business improvement association
- Community recreation services
- Industry association
- Local library
- Other

Please submit the above information to en.imm@gov.bc.ca by the deadline outlined in your Performance Agreement.

Post-Arrival Progress Check-in - Regional

If you applied through the EI – Regional stream, a post-arrival progress check-in form must be submitted by the community's Designated Contact Person for the BC PNP. The Designated Contact Person must submit the form to the BC PNP six to eight (6 – 8) months after you arrive in the community. The purpose of this form is to provide a formal progress report, focused on business and family support services accessed and any challenges you may have faced. The Designated Contact Person will be in touch with you to complete this form. If your deadline for the form is approaching and you haven't heard from the community, you may wish to reach out to the Designated Contact Person.



Part 4: Building Your Business in B.C.

Building Your Business Overview

You have up to 610 days (approximately 20 months) from your commencement date (the "date issued" on your work permit) to implement your business plan, actively manage your business, and satisfy the performance expectations of your signed performance agreement.

During the business establishment period, you are required to update your BC PNP Profile with any change in your contact information, including residential address, email address, marital status, and number of dependents. If you are using the services of a representative, you must also update your BC PNP Profile if your representative changes or if you stop using their services.

The BC PNP requires that you make the minimum eligible personal investment from your personal funds.

Entrepreneurs should be aware that individuals holding work permits may face certain barriers to receiving personal or business loans and may be subject to certain taxes. It is your responsibility to be informed about the limitations related to financing or lending and any applicable taxes you may owe.

Residency

When you submit your final report, you will need to demonstrate that you meet the residency requirements outlined in your performance agreement. You must demonstrate that you have been physically present in B.C. for at least 75 percent of the time that you have been on a work permit. For example, if you submit your final report 610 days (approximately 20 months) after your commencement date (the "date issued" on your 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.

Please note that there were criteria changes for registrations submitted after July 13, 2022. If you registered for the EI - Base stream after that date, you are required to reside within 50 kilometres of the business you intend to operate (unless otherwise specified in your performance agreement). This distance is measured by the shortest available route by road. Travel between your home and your business must not require a journey across a body of water that would require a ferry trip of more than 30 minutes.



If you applied through the EI – Regional stream, you are required to reside within the boundaries of the community that supported your EI – Regional registration and application (unless otherwise specified in your performance agreement).

Work Permit Extensions After Arrival

If your work permit is due to expire before a decision is made on your BC PNP application, you may contact en.imm@gov.bc.ca to request a work permit support letter which will allow you to apply to IRCC to extend your work permit. Requests can be made if there are fewer than 180 days (approximately six months) remaining before the expiry date on your work permit. For information on the process for extending your work permit, refer to IRCC's website.

When requesting a work permit support letter, the BC PNP may require documentation to confirm that you continue to meet the terms of your performance agreement and to demonstrate that you are continuing to actively manage the business.

If the BC PNP determines that you are compliant with the terms of your performance agreement, a support letter will be issued. This letter can then be submitted to IRCC with your application to extend your work permit. The letter is valid for 90 days after issuance and must be submitted to IRCC prior to the expiry.

Part 5: Final Report

Final Report Overview

In order for your application for nomination to be approved under subsection 4(1) of the <u>Provincial Immigration Programs Act</u>, you must meet the Entrepreneur Immigration program requirements.

The Province requires you to provide evidence to demonstrate you meet the performance expectations set out in your performance agreement. You must submit a complete final report form with supporting documents to be considered eligible for nomination.

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 schedule an interview to assess eligibility for nomination.

If you fail to meet the performance expectations of the performance agreement by the time your final report is due, your application may be refused at the nomination stage and your file will be closed.



It is your responsibility to demonstrate that you have met the performance expectations described in your signed performance agreement. For more information, please refer to the applicable program guide.

During the business establishment period, you must ensure that you closely follow and adhere to the terms and conditions outlined in your signed performance agreement. You are responsible for ensuring that your business is complying with <u>BC Employment Standards Regulations</u>.

Preparation of Your Final Report

Please ensure you retain all of the invoices, receipts, and records that you will need to submit along with your final report. You must submit all applicable supporting documentation identified in the <u>final report documentation checklist</u> (Appendix A).

You must complete each section of the final report.

Submitting Your Final Report

If you applied through EI – Base, you must submit a final report no earlier than 550 days (approximately 18 months) after your performance agreement commencement date (which is your work permit issuance date) but no later than 610 days (approximately 20 months) from that date.

If you applied through EI – Regional, you must submit a final report no earlier than 365 days (1 year) after your performance agreement commencement date (your work permit issuance date), and no later than 610 days from that date.

To submit a complete final report (for example, demonstrating that the business is generating revenues and has a stable payroll), your business must be fully operational for at least six months prior to final report submission.

You can only submit one final report.

You must submit your final report through your BCPNP Online dashboard. Paper or email reports will not be accepted and will be returned unprocessed.

If you experience technical difficulties, please contact our office at en.imm@gov.bc.ca (include a screenshot of the error message).

Please ensure you:

• upload the requested documents as PDF or JPG files in the appropriate field of the attachments tab (which is organized similarly to the <u>final report documentation checklist</u>)



- reduce individual file size to less than 3 MB
- complete all fields on the final report form with the required information
- follow the specific format for submission of documents as indicated in Part 6: Final Report Supporting Documentation

Assessment of your final report

A case review officer will conduct a completeness check of your final report and may contact you to request missing information or clarifications. The assessment will only begin when the final report is considered complete.

A program advisor will assess your final report and, if necessary, may interview you and request additional information or supporting documentation. The program advisor may also conduct a site visit, as authorized under section 11 of the *Provincial Immigration Programs Act*.

You must remain in B.C. while your final report is being processed. Any absence may impact the processing of your final report.

If you are unable to demonstrate that performance expectations have been met before the submission of your final report and accompanying documentation (including follow-up information, or evidence from an interview and/or site visit), your application will be refused at the nomination stage and your file will be closed.

Conditions of Nomination



The program advisor will inform you of the decision to approve or decline your application for nomination under section 4(1) of the *Provincial Immigration Programs Act*.

If the BC PNP is satisfied that you met the terms of your performance agreement, you will be required to sign a Conditions of Nomination declaration. This document outlines your ongoing obligations as a nominee, such as maintaining the business operations, business location and ownership percentage outlined in your performance agreement, as well as continuing to actively manage the business and maintain residency. Once you have signed the Conditions of Nomination declaration, you will be approved as a provincial nominee. Please see the applicable Entrepreneur Immigration Program Guide for more information on conditions of nomination.



Nomination

If you are approved as a provincial nominee under subsection 4(1)(a) of the <u>Provincial Immigration</u> <u>Programs Act</u>, the BC PNP will issue you a confirmation of nomination as a provincial nominee.

1. 2. BC PNP 3. BC PNP 4. 5. Permanent Registration Application Work Permit Nomination Residence

You may then submit your application for permanent residence to IRCC under the Provincial Nominee Class. The confirmation of nomination is valid for 180 days (approximately six months). You must apply for permanent residence prior to the expiry date on your confirmation of nomination. You must continue to meet the conditions outlined in the Conditions of Nomination declaration while your federal application for permanent residence is in process. Failure to maintain these conditions may result in your nomination being cancelled.

For more information on applying for permanent residence, please visit. <u>IRCC's website.</u> Be sure to follow the instructions carefully and include all requested documentation.

The BC PNP will continue to support your work permit as long as you continue to maintain the conditions outlined in the Conditions of Nomination declaration. If you anticipate your work permit may expire before your application for permanent residence is processed, contact the BC PNP) in advance of expiry to request a work permit support letter. The BC PNP will consider a request when the expiry of your work permit is within 180 days (approximately six months).

Part 6: Final Report Supporting Documentation

Please see <u>Appendix A: Final Report Documentation Checklist</u> for a complete list of all information you will be required to submit as part of your final report. Only the final report documentation checklist items marked with a "*" are explained below.

Please **only** provide documentation listed in the checklist, unless requested by the BC PNP. If you are using the services of a representative, you must also submit a use of a representative form that both you and your representative have signed within the past 12 months.

General Terms for the Applicant

Evidence of active management: You must submit evidence of your active management and participation in the operations of your business.

Copies of all pages of your current passport: You must submit recent scanned copies of all pages of your current passport. If your passport was issued after you arrived in B.C. with your



valid work permit (within the last 20 months), please also provide copies of all the pages of your previous passport.

Valid language test results are only required at the final report stage for applicants who submitted their registrations to EI – Base on or after January 29, 2020, and who have not already submitted their results. Test results will be considered valid for two years from the date of issuance.

Business information

Financial statements that have undergone <u>review engagement</u>: Submit the most recent fiscal year-end statements for the business you have established in B.C. that have undergone review engagement A review engagement prepared by a Chartered Professional Accountant (CPA) provides a degree of assurance that the financial statements submitted are credible and in accordance with financial reporting standards. Financial statements must include balance sheets and profit & loss statements. Interim financial statements for the most recent quarter must also be included if the review engagement financial statements were prepared more than six months prior to final report submission (interim statements may be compilation engagement).

Eligible personal investment

Evidence of your eligible personal investment made from assets that are part of your personal net worth: Provide evidence that your eligible personal investment was made from your personal funds. This may include bank statements demonstrating the transfer of funds from your personal account to the business account.

Detailed breakdown of your investments with accompanying invoices or receipts and corresponding proof of payment: Include a subsection for each investment category as per your performance agreement, such as equipment purchases, leasehold improvements, furniture, wages, advertising, new inventory, etc. If investment items appear on banking or credit card statements, you must provide the corresponding statements with the investment items highlighted.

Each subsection must include a covering summary page that lists the individual expenses and costs for each expense item. The amounts for each expense item must add up to the investment amount for each category as per your performance agreement.

The summary page must be followed by receipts and invoices for the major expense items listed in the summary page as documentary evidence.

For example:

Investment item: New Equipment



Performance agreement investment requirement: \$30,000

Amount claimed in the final report: \$33,746

Summary page would list the new equipment purchased:

Hydraulic lift invoice \$8,325
 Welding equipment receipts \$2,870
 CNC drill press invoice \$15,958
 Total: \$33,746

The subsequent four pages would include invoices and/or receipts for these items in the order they are listed on the summary page as well as corresponding proof of payment for each individual item. Proof of payment may be in the form of copies of cheques, credit card statements, bank statements etc.

Please ensure you:

- include documentary evidence such as copies of paid bills, statements, purchase orders in your name and/or company name related to major eligible investment expenditures and proof of payment for each item
- do not include invoices or receipts for less than \$1,000 unless requested to do so by the BC PNP
- do not submit invoices and receipts out of order

Job creation and maintenance

T4 Summary and copies of employee pay stubs for the most recent 6 months: The pay stubs or pay statements must comply with BC Employment Standards regulations. For more information, please visit the. <u>Employment Standards Branch website.</u>

Most recent 6 months of CRA payroll remittances and your company's payroll records: You must provide a copy of payroll remittances from the Canada Revenue Agency for the most recent 6 months. For more information, please visit the <u>CRA website</u>. You must submit a copy of your company's payroll records for the past 6 months as well as corresponding proof of payment. Proof of payment may be in the form of copies of cheques, bank statements, e-transfer receipts etc.

Record of Employment (ROE) document for each employee that has quit or that was terminated: For more information on filing ROEs, please visit the <u>CRA website</u>.

The <u>Personal Information Protection Act</u> requires employers to obtain the consent of their employees when disclosing personal information. It is your responsibility as the employer to advise employees and obtain their consent.



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Appendix A: Final Report Documentation Checklist

1.	Personal Information
••	Your current work permit
2.	General Terms for the Applicant
	Title deed if owned or rental agreement of personal residence in B.C.
	Evidence of active management*
	A complete copy of the Principal Applicant's passport*
	Personal Notice of Assessment from Canada Revenue Agency for the most recent tax year
	<u>Travel History Report</u> from Canada Border Services Agency from your arrival date to present showing both entries and exits
	Residential <u>utility statements</u> from the past 6 months
	Valid language test results* (if not previously provided)
3.	Business Information
	Incorporation documents
	Business licences
	Trade licences and other business-specific licences (if applicable)
	Title deed or lease agreement for business premises
	Shareholders' agreement (if applicable)
	Shareholder registry (if applicable)
	Signed purchase agreement and share transfers (if applicable)
	Signed franchise agreement (if applicable)
	Financial statements that have undergone review engagement by a CPA*
4.	Eligible Personal Investment
	Evidence of your eligible personal investment made from your personal net worth*
	Detailed breakdown of your investments with accompanying invoices and receipts as well as corresponding proof of payment for each item*
	Receipts for items over \$1,000 that are directly related to operations
	CBSA statements for import of equipment and inventory (if applicable)
5.	Job Creation
	Resumes for all employees
	Employment offer letters accepted by employees
	T4 Summary and copies of employee pay stubs for the most recent 6 months*
	Most recent 6 months of CRA payroll remittances and your company's payroll records as well as corresponding proof of payment*
	Record of Employment document for each employee that has quit or was terminated* (<i>if applicable</i>)
6.	Reference Documentation
	Photos of business premise (exterior and interior), major equipment and machineries
	Marketing material



Any other supporting documents relevant to your business performance evaluation

Items marked with an asterisk "*" are detailed in Part 6: Final Report Supporting Documentation



Appendix B: Additional Resources

As an entrepreneur in British Columbia, we highly recommend you review the resources listed below and in the program guides to assist you and to provide you with information on establishing your business so that you can meet the performance expectations of your signed performance agreement.

Remember: It is **your responsibility** to learn, understand, and comply with all laws and regulations as a business owner in B.C. and Canada.

Starting Up and Registering a Business

Community Futures BC

www.communityfutures.ca

Supporting local, community-based economic development by offering business support services, business planning advice, loans and self-employment assistance.

BC Chamber of Commerce

www.bcchamber.org

A business organization representing chambers of commerce, boards of trade, and businesses of every size in communities throughout B.C.

Société de développement économique de la Colombie-Britannique (SDECB) https://www.sdecb.com/

Provides advocacy and tools for the Francophone and Francophile business community of British Columbia.

OneStop BC Business Registry

www.onestopbc.ca

A public sector partnership where you can do the most commonly required business registrations and transactions, including business naming, tax and WorkSafeBC registration, incorporating and licensing. The business registration service enables a business to register with multiple public sector agencies and local government in one step.

Corporations Canada

http://strategis.gc.ca/eic/site/cd-dgc.nsf/eng/home

Creating and operating a business corporation. Electronic filing available.

Canadian Intellectual Property Office (CIPO)

www.ic.qc.ca/eic/site/cipointernet-internetopic.nsf/eng/home

Detailed information, databases and application forms for trademarks, patents, copyright, and industrial designs.



BizPal

www.bcbizpal.ca

BizPaL is a B.C. government-operated service that provides simplified access to information about business permits and licences you may require when starting or operating your business.

Workers' Compensation Board (WorkSafeBC)

www.worksafebc.com

When work-related injuries or diseases occur, WorkSafeBC provides compensation and support to people in their recovery, rehabilitation, and safe return to work. Most business operations in B.C. are required to have accident compensation coverage.

Employers' Advisers Office

www2.gov.bc.ca/gov/content/employment-business/employers/employers-advisers-office

Government-operated and independent advice, assistance, representation and education to employers related to the workers' compensation system.

Taxation and Employment

Canada Revenue Agency

https://www.canada.ca/en/services/taxes.html

Information regarding federal business taxes, GST/HST, and payroll. Online services to register, file and pay taxes, view and change information, and calculate deductions.

eTaxBC

www2.gov.bc.ca/gov/content/taxes/sales-taxes/pst/report-pay/online

Online system to pay your provincial taxes and file your returns.

BC Employment Standards Branch

<u>www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards</u>

The Employment Standards Branch administers the Employment Standards Act and Regulation, which set minimum standards for wages and working conditions in most workplaces. Both the Employment Standards Act and the <u>Canada Labour Code</u> set out a minimum standard for employment and workplace safety that employers and employees must follow.

Federal Labour Standards

www.labour.gc.ca/eng/home.shtml

WorkBC Employer Resources

www.workbc.ca/Employers.aspx

Information and resources for employers on business growth, staff training, how to access funding, and how to secure talent with the job board's free job postings.



Service Canada - HR Management for Employers

Information and resources regarding government programs for employers, as well as the hiring, training, managing, and departure of employees.

Canadian Human Rights Commission

Information and resources for organizations and businesses.

Importing / Exporting

Canada Border Services Agency - Facilitating Trade

www.cbsa-asfc.gc.ca/trade-commerce/facil-eng.html

CBSA's information on trade including customs tariffs, initiatives and regulations, trade facilitation programs, and international trade agreements and partnerships.

Settlement and Immigrant Services

BC Newcomers' Guide to Resources and Services

https://www.welcomebc.ca/Start-Your-Life-in-B-C/Newcomers-Guides

The British Columbia Newcomers' Guide contains a wealth of information to help entrepreneurs in their first few months as new arrivals in B.C. The Newcomers' Guide contains information on school registration, healthcare, banking, drivers licensing and other common topics, and is available in several languages. You may request a free printed copy of the BC Newcomers' Guide by visiting https://www.welcomebc.ca/Start-Your-Life-in-B-C/Newcomers-Guides/Newcomers-Guide-Order-Form

WelcomeBC

https://www.welcomebc.ca/

WelcomeBC.ca can help you find the information, tools and resources you and your family need to get settled and join your community, as well as links to useful resources for community leaders and service providers as they help new members of their communities. To learn more about settlement services for temporary residents, refer to Welcomebc.ca/Start-Your-Life-in-B-C/Settlement-Services.