

### 13. Proof of Ability to Become Economically Established

All applicants must demonstrate their ability to become economically established in Newfoundland and Labrador. Applicants who are already in the province or country are still expected to demonstrate their ability to become economically established long-term.

To demonstrate this, applicants must provide supporting financial and employment documents in the application. The applicant can include additional documentation they deem relevant to the assessment of this criteria.

The IPDO will consider a number of factors to determine if an applicant has demonstrated their ability to economically establish, including but not limited to; expected relocation costs, current savings, other liquid assets, liabilities, anticipated salary, cost of living, associated IRCC application fees and family size.

Each application will be assessed on its own merit, considering the factors outlined in this policy.

#### Assessment Criteria:

- Funds have been genuinely maintained in financial accounts for at least three (3) months prior to the NLPNP application;
- Funds are readily available to the applicant;
  - For example, submitting real estate equity as proof of settlement funds does not meet this criteria as these are not liquid funds.
- Funds are sufficient to cover the costs associated with IRCC application fees for temporary and permanent residence for all family members, relocation costs for all family members and any liabilities;
- Funds are not borrowed in any way, from another person, financial institution or against a collateral asset;
- Funds are held in financial accounts in the principal applicant's, spouse's or common-law partner's name. Funds may be held in a joint account with the principal applicant's spouse or common-law partner, provided the funds meet the other criteria in this policy. If the money is held in an account under the applicant's spouse or common-law partner's name only, OIM may accept it, provided the applicant can establish that the principal applicant also has access to the money. This determination would be made based on written attestation from the applicant's spouse or common law partner, submitted via correspondence to the IPDO.
- Anticipated salary is reasonably expected to support the principal applicant and accompanying family members settle permanently in the province and region of intended residence;
- Principal applicant and family members are not receiving ongoing social assistance for any reason, other than for a disability. Social assistance can include benefits (money, goods or services) from municipal, provincial, territorial or federal governments to cover basic needs.
  - What is considered social assistance when applying to the NLPNP:
    - Food
    - Shelter
    - Subsidized housing
    - Clothing
    - Household supplies
    - Income support

- What is not considered social assistance when applying to the NLPNP:
  - Employment Insurance;
  - Provincial student loans;
  - Immigration loans;
  - Tax credits;
  - Child care benefit;
  - Public health care (i.e., MCP coverage);
  - One-time benefits and other benefits widely available to residents, including people who are working; and,
  - Temporary programs created to help people cope with the COVID-19 pandemic or cost of living.

## **PROCEDURES:**

1. During the assessment phase, the IPDO must consider several factors that may reveal whether the applicant has sufficient settlement funds and financial resources to become economically established in Newfoundland and Labrador, such as:
  - i. The amount of unencumbered, readily available funds and the personal net worth of the client (per *Declaration of Personal Net Worth* online form and the Schedule 4 – federal form IMM 5669);
  - ii. The wages/salary offered to the applicant (and whether these will be sufficient for the applicant and any accompanying family members to reside in the applicable region);
  - iii. Estimated cost of living, with reference to up-to-date data:
    - [IRCCs financial information for newcomers](#)
    - [Canada Mortgage and Housing Corporation Data](#)
    - [Statistical Information for Newfoundland & Labrador](#)
  - iv. Estimated cost and availability of transportation to the workplace and essential services. Factors such as whether the applicant will be able to avail of public transportation or intend to purchase a vehicle to commute to work and to access essential services;
  - v. If the applicant's spouse also has a job offer in the province, or if the principal applicant's employer will consider hiring the spouse at the same location;
  - vi. Settlement costs absorbed by the employer and not expected to be repaid by the applicant (such as airfare, accommodations, in- kind supports);
  - vii. One time assistance from a friend or relative (requires *Gift of Deed* document, or other notarized promissory note indicating financial assistance)\*;
  - viii. The average cost of travel for all accompanying family members from their place of residence to the place of employment (for those outside the province at the time of application); and,
  - ix. The applicant's debts and obligations, which may include money owed on loans or to third parties, as disclosed in the financial documents submitted with the application;
  - x. Whether the applicant or a dependent family member are in receipt of social assistance, as defined above.
2. Applicants must submit financial documents with the application demonstrating that savings have been maintained in their account for at least three (3) months prior to submitting a NLPNP application.

Eligible financial documents are restricted to the following accounts: chequing accounts, savings accounts, Guaranteed Investment Certificates (GIC), Mutual Funds, Registered Retirement Savings Plans (RRSP), Tax-free Savings Account (TFSA), term deposits and time deposits.

Financial documents must meet the following requirements:

Such documents must be printed in the official letterhead format/template of the bank or financial institution(s) where the money is held, and must:

- Include the institution's contact information (address, telephone number and email address);
- Include the applicant's name, or their spouse's/common-law partner's names;
- Include, for each current bank and investment, the:
  - Account numbers and the currency;
  - Date each account was opened (and maturity date, if applicable);
  - Current balance of each account;
  - Average account balance for the last six months, if applicable; and,
  - Detailed transaction history for at least the last three months.
- In addition to the information above, bank certificates may include a list of outstanding debts, such as credit card debts and loans.

3. The IPDO may request additional documents at any time during the application process if deemed necessary to verify proof of settlement funds and ability to become economically established. Any additional requests for information by the IPDO must provide the rationale to the applicant in writing, and such correspondence must be uploaded in the portal. The IPDO must consider any and all other factors or documentation presented by the applicant not included above and make a recommendation to the Manager of Immigration Programs on whether to accept such factors or documentation. The rationale for any such recommendation must be documented by the IPDO in the portal.
4. For applicants who are outside the province during the assessment phase, extra care will be taken by the IPDO to ensure the applicant has sufficient financial resources to cover their relocation costs to the province.
5. If after considering all the information received during the assessment, the IPDO is not satisfied that the applicant will be able to become economically established, the IPDO will follow the steps in the *Procedural Fairness Policy*.
6. For situations in which the applicant has been untruthful about any aspect of their financial situation, the IPDO will refer the matter to the Manager of Immigration Programs, who may review further with program integrity IPDOs. The Manager of Immigration Programs will discuss the file with the IPDO to determine whether the applicant has committed misrepresentation. The Manager of Immigration Programs will inform the Director if they and the IPDO suspect that the applicant has committed misrepresentation, as noted in the *Misrepresentation Policy*. Decisions on next steps will follow the *Misrepresentation Policy*.
7. The IPDO will consider all information presented by the applicant to make a final determination on whether the applicant has demonstrated their ability to become economically established in the province with any accompanying family members.

## **Exceptions to Policy**

For any potential exceptions considered for this policy, please refer to *Discretion – Exemption to Criteria Set under the Newfoundland and Labrador Provincial Nominee Program Policy*.