



Migration (LIN 19/189: Arrangements for certain Business Skills Visas) Instrument 2019

I, Peter Richards, Delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make the following legislative instrument.

Dated Nineteenth September 2019

P Richards

Peter Richards
Senior Executive Service, Band One, Immigration Programs Division
Delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

Contents

Part 1 – Preliminary	1
1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions	1
5 Schedules	1
Part 2 – Arrangements for certain Business Skills Visas	2
6 Approved form.....	2
7 Approved place and manner	2
Schedule 1—Approved forms, Places and Manner for making certain Business Skills visa applications	3
Schedule 2—Repeal	7
<i>Specification of Arrangements for Business Skills Visa Applications 2016/106 (F2016L01764)</i>	7

Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (LIN 19/189: Arrangements for certain Business Skills Visas) Instrument 2019*
- (2) This instrument may be cited as LIN 19/189.

2 Commencement

This instrument commences the day after registration on the Federal Register of Legislation.

3 Authority

This instrument is made under subregulation 2.07(5) of the *Migration Regulations 1994*.

4 Definitions

Note: A number of expressions used in this instrument are defined in regulation 1.03 of the Regulations such as ***approved form***.

In this instrument:

Department means the Department of Home Affairs.

Regulations means the *Migration Regulations 1994*.

5 Schedules

The instrument specified in Schedule 2 to this instrument is repealed as set out in the applicable items in the Schedule concerned, and any other item in Schedule 1 to this instrument has effect according to its terms.

Part 2 – Arrangements for certain Business Skills Visas

6 Approved form

For the purposes of the following subitems 1104AA(1); 1104BA(1); 1104B(1); 1112(1); 1113(1); 1202A(1); and 1202(B)(1) of Schedule 1 to the Regulations, the approved form is specified in Column B of the table in Schedule 1 to this instrument for the class of visa specified in Column A of that table.

7 Approved place and manner

For the purposes of the following subitems 1104AA(3)(a); 1104BA(3)(a); 1104B(3)(a); 1112(3)(a); 1113(3)(a); 1202A(3)(a); and 1202B(3)(a) of Schedule 1 to the Regulations, the approved place and manner are specified in Column C of the table in Schedule 1 to this instrument for the class of visa specified in Column A of that table.

Schedule 1—Approved forms, Places and Manner for making certain Business Skills visa applications

Item No.	Column A Visa Class (and Subclass)	Column B Approved Forms	Column C Place and manner
1	<p>Item 1104AA Business Skills Business Talent (Permanent) (Class EA)</p> <p><i>Subclass:</i> <i>132 (Business Talent) visa</i></p>	Form 1396 (Internet)	Applications using Form 1396 (Internet), Form 1398 (Internet), or Form 1397 (Internet) must be made as an Internet application.
2	<p>Item 1104BA Business Skills (Permanent) (Class EC)</p> <p><i>Subclass:</i> <i>888 (Business Innovation and Investment Provisional) visa</i></p>	Form 1398 (Internet)	
3	<p>Item 1202B Business Skills (Provisional) (Class EB)</p> <p><i>Subclass:</i> <i>188 (Business Innovation and Investment Provisional) visa</i></p>	Form 1397 (Internet)	
4	<p>Item 1104B Business Skills (Residence) (Class DF)</p> <p><i>Subclasses:</i> <i>890 (Business Owner) visa</i></p>	(a) For applicants seeking to satisfy the criteria for the grant of a Subclass 890 (Business Owner) visa:- Form 47BU and Form 1217; or	<p>Applications must be made by:</p> <p>(a) post, with correct prepaid postage to: Adelaide Business Skills Processing Centre Department of Home Affairs GPO Box 2399 ADELAIDE SA 5001</p>

Item No.	Column A Visa Class (and Subclass)	Column B Approved Forms	Column C Place and manner
	<p>891 (Investor) visa</p> <p>892 (State/Territory Sponsored Business Owner) visa</p> <p>893 (State/Territory Sponsored Investor) visa</p>	<p>(b) For applicants seeking to satisfy the criteria for the grant of a Subclass 891 (Investor) visa: Form 47BU; or</p> <p>(c) For applicants seeking to satisfy the criteria for the grant of a Subclass 892 (State/Territory Sponsored Business Owner) visa: Form 47BU, Form 1217 and Form 949; or</p> <p>(d) For applicants seeking to satisfy the criteria for the grant of a Subclass 893 (State/Territory Sponsored Investor) visa: Form 47BU and Form 949.</p>	<p>AUSTRALIA; or</p> <p>(b) courier service delivery to:</p> <p>Adelaide Business Skills Processing Centre Department of Home Affairs Level 4 70 Franklin Street ADELAIDE SA 5000.</p>
5	<p>Item 1112 Distinguished Talent (Migrant) (Class AL)</p> <p><i>Subclass:</i> 124 (Distinguished Talent) visa</p>	Form 47SV	<p>Applications must be made by:</p> <p>(a) post, with correct prepaid postage to:</p> <p>Adelaide Business Skills Processing Centre Department of Home Affairs GPO Box 2399 ADELAIDE SA 5001 AUSTRALIA; or</p> <p>(b) courier service delivery to:</p> <p>Adelaide Business Skills Processing Centre Department of Home Affairs Level 4 70 Franklin Street ADELAIDE SA 5000; or</p> <p>(c) online lodgement through the Department's lodgement portal at the following address:</p> <p>https://immi.homeaffairs.gov.au/help-</p>

Item No.	Column A Visa Class (and Subclass)	Column B Approved Forms	Column C Place and manner
			support/departmental-forms/online-forms/global-talent-contact-form
6	<p>Item 1113 Distinguished Talent (Residence) (Class BX)</p> <p><i>Subclass:</i> 858 (Distinguished Talent) visa</p>	Form 47SV	<p>Applications must be made by:</p> <p>(a) post, with the correct prepaid postage to:</p> <p style="padding-left: 40px;">Adelaide Business Skills Processing Centre Department of Home Affairs GPO Box 2399 ADELAIDE SA 5001 AUSTRALIA; or</p> <p>(b) courier service delivery to:</p> <p style="padding-left: 40px;">Adelaide Business Skills Processing Centre Department of Home Affairs Level 4 70 Franklin Street ADELAIDE SA 5000; or</p> <p>(c) online lodgement through the Department's lodgement portal at the following address:</p> <p style="padding-left: 40px;">https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/global-talent-contact-form</p>
7	<p>Item 1202A Business Skills (Provisional) (Class UR)</p> <p><i>Subclasses:</i> 160 (Business Owner (Provisional)) visa 161 (Senior Executive (Provisional)) visa 162 (Investor (Provisional)) visa 163 (State/Territory Sponsored Business Owner (Provisional)) visa</p>	<p>Form 47BT and:</p> <p>(a) Form 1136; or (b) Form 1137; or (c) Form 1139.</p>	<p>If the applicant's residential address, provided to the Department using Form 47BT, is in Taiwan or the People's Republic of China, including Hong Kong or Macau, having the application delivered by courier service to the following address:</p> <p style="padding-left: 40px;">Australian Consulate General 24th Floor, Harbour Centre 25 Harbour Road Wanchai HONG KONG</p> <p>In any other case, applications must be made by:</p> <p>(a) post, with correct prepaid postage to:</p> <p style="padding-left: 40px;">Adelaide Business Skills Processing Centre Department of Home Affairs GPO Box 2399 ADELAIDE SA 5001</p>

Item No.	Column A Visa Class (and Subclass)	Column B Approved Forms	Column C Place and manner
	<p><i>164 (State/Territory Sponsored Senior Executive (Provisional)) visa</i></p> <p><i>165 (State/Territory Sponsored Investor (Provisional)) visa</i></p>		<p>AUSTRALIA; or</p> <p>(b) courier service delivery to:</p> <p>Adelaide Business Skills Processing Centre Department of Home Affairs Level 4 70 Franklin Street ADELAIDE SA 5000.</p>

Schedule 2—Repeal

Specification of Arrangements for Business Skills Visa Applications 2016/106 (F2016L01764)

1 The whole of the instrument

Repeal the instrument