

Migration (LIN 20/051: Arrangements for certain Business Skills visas) Instrument 2020

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

Dated 13 February 2020

Peter Richards

Peter Richards

Senior Executive Service, Band One, Skilled and Family Visa Program Branch, Immigration Programs Division
Department of Home 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, place and manner 2

Schedule 1—Approved form, place and manner 3

Schedule 2—Repeals 7

Migration (LIN 19/189: Arrangements for certain Business Skills Visas) Instrument 2019 7

Part 1—Preliminary

1 Name

(1) This instrument is the *Migration (LIN 20/051: Arrangements for certain Business Skills visas) Instrument 2020*.

(2) This instrument may be cited as LIN 20/051.

2 Commencement

This instrument commences on 29 February 2020.

3 Authority

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

4 Definitions

Note: A number of expressions used in this instrument are defined in regulation 1.03 of the Regulations, including approved form.

In this instrument:

***Department*** means Department of Home Affairs.

***Global Talent contact form*** means the form on the Department’s online lodgement portal called the Global Talent contact form, available at: <https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/global-talent-contact-form>.

***visa item*** means an item of Schedule 1 to the Regulations.

***Regulations*** means the *Migration Regulations 1994*.

5 Schedules

(1) Schedule 1 specifies the approved form, place and manner for the purposes of certain provisions of the Regulations.

(2) The instrument that is specified in Schedule 2 is repealed as set out in the applicable item in that Schedule.

Part 2—Arrangements for certain Business Skills visas

6 Approved form, place and manner

For an item in the table in Schedule 1 and for the corresponding visa item mentioned in Column 1 of the table and the visa class and subclass mentioned in Column 2 of the table:

 (a) the approved form is specified in Column 3 of the table; and

 (b) the approved place and manner are specified in Column 4 of the table.

Schedule 1—Approved form, place and manner

Note: See section 6.

| Item | Column 1Visa item | Column 2Visa class and subclass | Column 3Approved form | Column 4Approved place and manner |
| --- | --- | --- | --- | --- |
| 1 | 1104AA | Business Skills Business Talent (Permanent) (Class EA)*Subclass 132 (Business Talent) visa* | Form 1396 (Internet) | As an internet application |
| 2 | 1104BA | Business Skills (Permanent) (Class EC)*Subclass 888 (Business Innovation and Investment Provisional)* | Form 1398 (Internet) | As an internet application |
| 3 | 1202B | Business Skills (Provisional) (Class EB)*Subclass 188 (Business Innovation and Investment (Provisional)* | Form 1397 (Internet) | As an internet application |
| 4 | 1104B | Business Skills (Residence) (Class DF)*Subclass 890 (Business Owner)Subclass 891 (Investor)Subclass 892 (State/Territory Sponsored Business Owner)Subclass 893 (State/Territory Sponsored Investor)* | (a) For applicants seeking to satisfy the criteria for the grant of a Subclass 890 (Business Owner) visa—Form 47BU and Form 1217; or(b) For applicants seeking to satisfy the criteria for the grant of a Subclass 891 (Investor) visa—Form 47BU; or(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(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 | Applications must be made by:1. post, with correct prepaid postage to:

Adelaide Business Skills Processing CentreDepartment of Home AffairsGPO Box 2399ADELAIDE SA 5001AUSTRALIA; or1. courier service delivery to:

Adelaide Business Skills Processing CentreDepartment of Home AffairsLevel 470 Franklin StreetADELAIDE SA 5000 |
| 5 | 1112 | Distinguished Talent (Migrant) (Class AL)*Subclass 124 (Distinguished Talent)* | Form 47SV; orForm 47DT (Internet) | Applications must be made:(a) if using Form 47SV—either:(i) by post, with correct prepaid postage to:Adelaide Business Skills Processing CentreDepartment of Home AffairsGPO Box 2399ADELAIDE SA 5001AUSTRALIA; or(ii) by courier service delivery to:Adelaide Business Skills Processing CentreDepartment of Home AffairsLevel 470 Franklin StreetADELAIDE SA 5000; or(iii) by sending the application to the Department as an email, using the Global Talent contact form; or(b) if using Form 47DT (Internet)—as an internet application |
| 6 | 1113 | Distinguished Talent (Residence) (Class BX)*Subclass 858 (Distinguished Talent)* | Form 47SV; orForm 47DT (Internet) | Applications must be made:(a) if using Form 47SV—either:(i) by post, with correct prepaid postage to:Adelaide Business Skills Processing CentreDepartment of Home AffairsGPO Box 2399ADELAIDE SA 5001AUSTRALIA; or(ii) by courier service delivery to:Adelaide Business Skills Processing CentreDepartment of Home AffairsLevel 470 Franklin StreetADELAIDE SA 5000; or(iii) by sending the application to the Department as an email, using the Global Talent contact form; or(b) if using Form 47DT (Internet)—as an internet application |
| 7 | 1202A | Business Skills (Provisional) (Class UR)*Subclass 160 (Business Owner (Provisional))Subclass 161 (Senior Executive (Provisional))Subclass 162 (Investor (Provisional))Subclass 163 (State/Territory Sponsored Business Owner (Provisional))**Subclass 164 (State/Territory Sponsored Senior Executive (Provisional))Subclass 165 (State/Territory Sponsored Investor (Provisional))* | Form 47BT and either:(a) Form 1136; or(b) Form 1137; or(c) Form 1139 | Application must be made:(a) if the applicant’s residential address, provided to the Department using Form 47BT, is in either Taiwan or the People’s Republic of China (including Hong Kong or Macau)—by courier service delivery to:Australian Consulate General24th Floor, Harbour Centre25 Harbour RoadWanchaiHONG KONG; or(b) in any other case—either:(i) by post, with correct prepaid postage to:Adelaide Business Skills Processing CentreDepartment of Home AffairsGPO Box 2399ADELAIDE SA 5001AUSTRALIA; or(ii) by courier service delivery to:Adelaide Business Skills Processing CentreDepartment of Home AffairsLevel 470 Franklin StreetADELAIDE SA 5000 |

Schedule 2—Repeals

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

1 The whole of the instrument

Repeal the instrument.