

LIN 21/026

Migration (Arrangements for certain business skills visas) Instrument (LIN 21/026) 2021

I, Anna Lutz, delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument under subregulation 2.07(5) of the *Migration Regulations 1994.*

Dated 26 February 2021

Anna Lutz

Senior Executive Service Band 1  
Skilled and Family Visa Program Branch  
Immigration Programs Division  
Department of Home Affairs

1 Name

This instrument is the *Migration (Arrangements for certain business skills visas) Instrument (LIN 21/026) 2021*.

2 Commencement

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

3 Definitions

In this instrument:

***authorising email*** means an email sent by an officer of the Department, authorising an applicant to make an application using an alternative form, in an alternative place or in an alternative manner.

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

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

4 Approved form, manner and place

For subregulation 2.07(5) of the Regulations, the approved form, manner and place for an application for a visa of a class and subclass mentioned in an item of Schedule 1 are the form and the manner and place mentioned in the item.

5 Repeal

*Migration (LIN 20/051: Arrangements for certain Business Skills visas) Instrument 2020* is repealed.

Schedule 1 Approved form, manner and place

(s.4)

| Item | Item of Regulations, Schedule 1 | Visa class and subclass | Approved form | Manner and place |
| --- | --- | --- | --- | --- |
| 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 applicant seeking to satisfy the criteria for the grant of a Subclass 890 (Business Owner) visa—Form 47BU and Form 1217; or  (b) for applicant seeking to satisfy the criteria for the grant of a Subclass 891 (Investor) visa—Form 47BU; or  (c) for applicant 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 applicant seeking to satisfy the criteria for the grant of a Subclass 893 (State/Territory Sponsored Investor) visa—Form 47BU and Form 949 | Application must be made by:  (a) post, with correct prepaid postage to:  Adelaide Business Skills Processing Centre, Department of Home Affairs, GPO Box 2399, Adelaide SA 5001, Australia; or  (b) courier service delivery to: Adelaide Business Skills Processing Centre, Department of Home Affairs, Level 4, 70 Franklin Street, Adelaide SA 5000, Australia |
| 5 | 1113 | Global Talent (Class BX)  *Subclass 858 (Global Talent)* | Form 47GT (Internet); or  if authorised in an authorising email—Form 47GT | Application must be made:  (a) as an internet application; or  (b) if using Form 47GT:  (i) by email to an official email address of the Department specified in the authorising email; and  (ii) by the end of the next business day in Australia after the authorising email was sent |
| 6 | 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 1 of the following:  (a) Form 1136;  (b) Form 1137;  (c) Form 1139 | Application must be made:  (a) 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 and Macau)—by courier service delivery to: Australian Consulate General, 24th Floor, Harbour Centre, 25 Harbour Road, Wanchai, Hong Kong; or  (b) in any other case:  (i) by post, with correct prepaid postage to: Adelaide Business Skills Processing Centre, Department of Home Affairs, GPO Box 2399 Adelaide SA 5001 Australia; or  (ii) by courier service delivery to: Adelaide Business Skills Processing Centre, Department of Home Affairs, Level 4, 70 Franklin Street, Adelaide SA 5000, Australia |