

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 *Migration (LIN 20/051: Arrangements for certain Business Skills visas) Instrument 2020* is repealed.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); orif 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 2399Adelaide SA 5001Australia; 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 |