

# Business Migration

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The Supreme Court of NSW

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# State Nomination is a must

New South Wales

Victoria

Queensland

South Australia

Western Australia

Northern Territory

Tasmania



2

# BUSINESS MIG CATEGORIES

3

## Provisional: (path way to PR)

- Subclass 188A Busi Innovation
- Subclass 188B Business Investor
- Subclass 188C Signif Investor
- Subclass 188E Entreprn Stream

## ➤ Permanent Resident visas:

- Subclass 132 Business Talent
  - Significant Business History
  - Venture Capital Entrepreneur
- Subclass 888 PR from 188 streams

# Permanent Business Migration

## Subclass 132 A (Business Talent)

- Age must be under 55 years, online application
- Significant business history of running new/existing business.
- Property development needs prior approval from the govt.
- Net assets (busi & personal) min AUD 3.0 m for Sydney.
- Net assets (busi & personal) min A\$2.0 m for outside Sydney
- 2 years to transfer funds to Australia after visa grants
- Must have a business proposal to demonstrate;
  - if Sydney, invest min AUD1.5 m & create 5 new F/T jobs
  - If outside Sydney, invest AUD 1.0 m & create 3 F/T jobs

# Permanent Business Migration

5

- ➔ **Subclass 132 B (Venture Capital Entrepreneur)**
  - Min AUD 1 m funding from Aust Venture Cap firm
  - Venture Capital firm must be a member of the AVCAL  
*(Aust Private Equity & Venture Cap Assoc Ltd).*
  - A formal agreement needed with the Ven Cap firm.
  - Online Applications. PR visa

# Provisional (Temporary )

6

## SC188 A Business Innovation

- Age under 55 years (waiver available)
- Net personal & business assets at least A\$1.3 m for Sydney, \$800K regional NSW
- 65 points based on; Business Experience, English, Academic, Net assets
- 2 years to bring the fund to Australia to establish the business in NSW.
- Online Application, 4 yrs to get PR visa

# Provisional Visas (Temporary Residence)

## SC188 B Business Investor

- Investment A\$1.5 m in Waratah Bonds
- At least A\$3.0 m net value assets for Sydney
- Min A\$2.25 m net value asset for Regional NSW
- 65 points; Busi Experi, Eng, Academic, Net assets
- 2 years to bring funds to establish the business
- Online application

# Provisional Visas (Temporary Residence)

## SC 188 C Significant Investment

Min investment A \$5m in govt bonds, ASIC regu mgd funds, or D/I into unlisted comp

No age limit, no English, no points test

2 years to bring fund to Australia

pathway to get PR after 4 years



# SC 188 C Premium Investment

- Commenced from 2015
- Min investment AUD 15 million
- No points test
- No age limit
- No English requirements
- 12 months to get PR visa

## SC188 E Business Entrepreneur

- to attract young entrepreneur, target overseas students
- third party funding required min AUD \$200k
- business activity lead to comm: of a product or service
- must be nominated by the State or Territory govt.

# State and Territory nominated visa allocations for 2020 - 2021

<b>State</b>	<b>Skilled Nomination (SC 190) Visa</b>	<b>Skilled Work Regional (SC 491)</b>	<b>Bus Inn &amp; Inv Prog (BIIP)</b>
<b>ACT</b>	802	598	30
<b>NSW</b>	<b>3,550</b>	<b>2,800</b>	<b>2,200</b>
<b>VIC</b>	2,500	1,043	1,750
<b>QLD</b>	1,000	1,250	1,200
<b>NT</b>	500	500	75
<b>WA</b>	1,100	340	360
<b>SA</b>	1,500	1,850	1,000
<b>TAS</b>	1,000	1,400	45
<b>Total</b>	<b>11,952</b>	<b>9,781</b>	<b>6,660</b>

# Applicants received Nominations by State and Territory 2020-21

Visa subclass	ACT	NSW	NT	Qld	SA	Tas.	Vic.	WA	Total
<u>Skilled Nominated (SC 190)</u>	294	357	195	382	326	321	568	205	2,648
<u>Skilled Work Reg (Provisional) (SC 491) Family Sponsored</u>	65	101	130	210	318	753	73	42	1,692
<u>Busi Innovation &amp; Investment (Provisional) (subclass 188)</u>	<20	<b>204</b>	<20	401	61	<20	332	66	1,073
<u>Busi Talent (Permanent) (subclass 132)</u>	<20	<b>&lt;20</b>	0	125	83	0	<20	20	243
<b>Total</b>	<b>365</b>	<b>663</b>	<b>327</b>	<b>1,118</b>	<b>788</b>	<b>1,076</b>	<b>986</b>	<b>333</b>	<b>5,656</b>

# Nominations received by State and Territory Governments – January 2021

Visa subclass	ACT	NSW	NT	Qld	SA	Tas.	Vic.	WA	Total
<a href="#"><u>Skilled Nominated visa (subclass 190)</u></a>	34	<20	75	131	78	48	<20	<20	384
<a href="#"><u>Skilled Work Regional (provisional) visa (subclass 491) Family Sponsored</u></a>	<20	<20	23	<20	69	224	32	<20	382
<a href="#"><u>Business Innovation and Investment (provisional) visa (subclass 188)</u></a>	0	<b>&lt;20</b>	0	198	<20	0	23	<20	237
<a href="#"><u>Business Talent (Permanent) visa (subclass 132)</u></a>	0	<b>0</b>	0	28	<20	0	0	<20	32
<b>Total</b>	<b>53</b>	<b>&lt;20</b>	<b>98</b>	<b>366</b>	<b>152</b>	<b>272</b>	<b>66</b>	<b>&lt;20</b>	<b>1,035</b>

# NSW PERSPECTIVES

14

- NSW largest econ, home of 45% top 500 comp.
- Simplest visa processing;
  - Significant Investor 188C 24 Hours
  - Business Talent 132 5 days
  - Business 188 & others 12 weeks
- NSW State approves nominations in 3 steps;
  - Lodge EOI online to DOHA & choose NSW, if yes
  - Apply at [industry.nsw.gov.au/migration](http://industry.nsw.gov.au/migration), also info @
  - [www.treasury.nsw.gov.au/business](http://www.treasury.nsw.gov.au/business) migration