

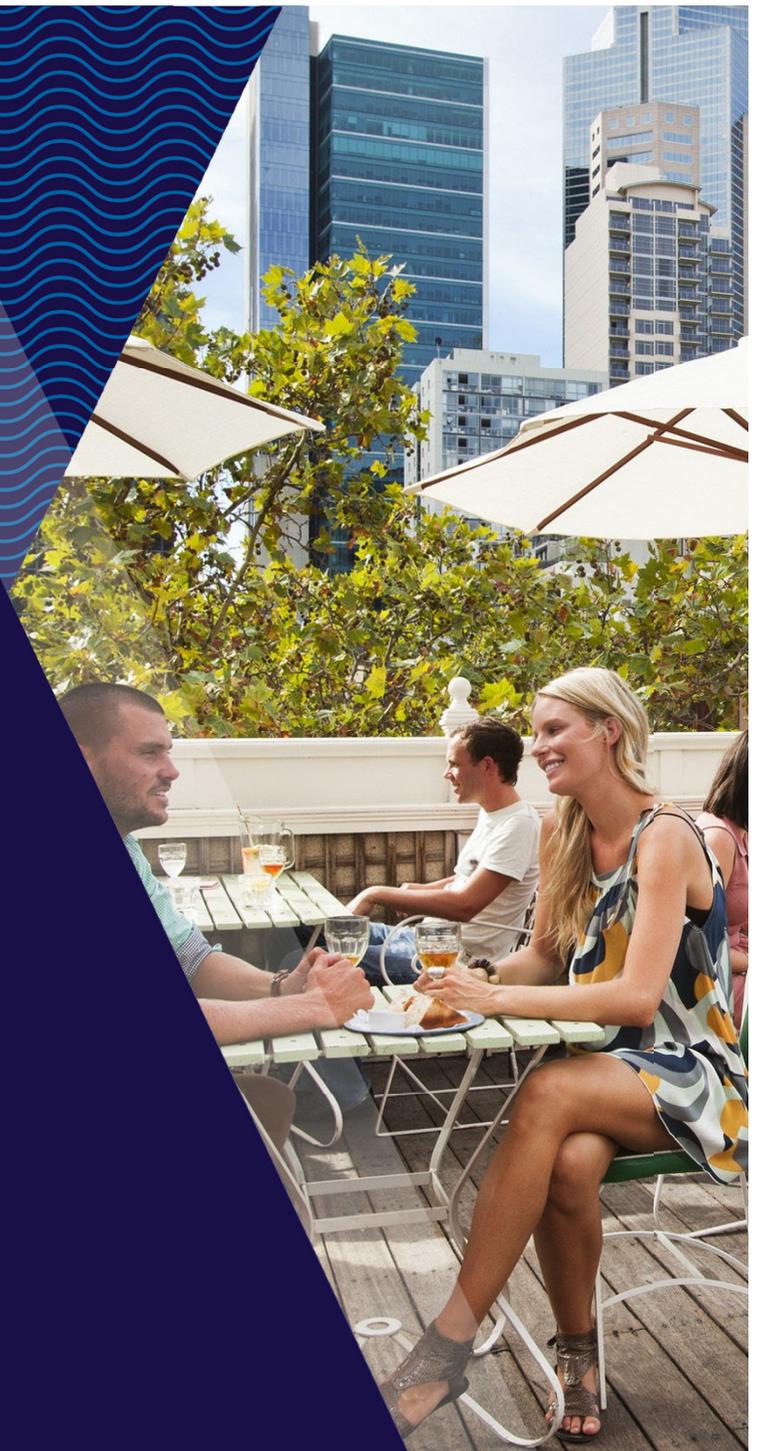
# Business and Investor Migration

Chloe Nakis and Nick Yan  
Skilled and Business Migration Program  
Victorian Government

Criteria as at 27 September 2017.  
This information should be used as a  
general guide only. Please see our  
website for up to date information:  
[liveinvictoria.vic.gov.au](http://liveinvictoria.vic.gov.au)



# MELBOURNE WELCOMES INVESTOR AND BUSINESS MIGRANTS



## Victoria's priority industry sectors



1. Construction technologies



2. Creative industries



3. Defense technologies



4. Digital technologies



5. Food and Fibre



6. International Education



7. Medical technologies and pharmaceuticals



8. New Energy



9. Professional services



10. Retail, transport distribution, logistics and postal

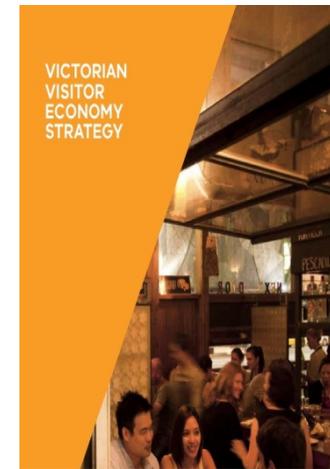
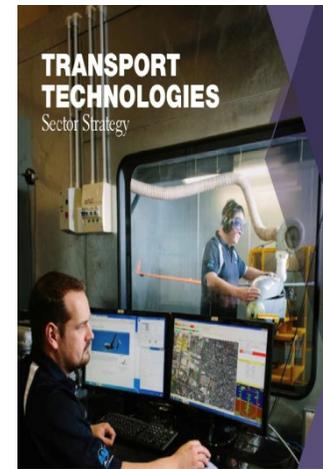
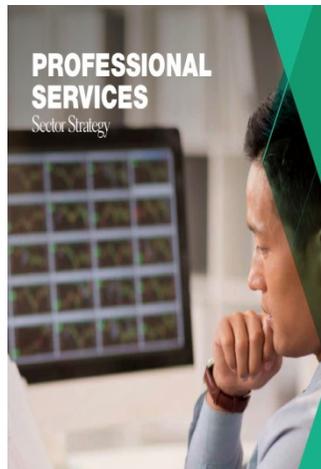
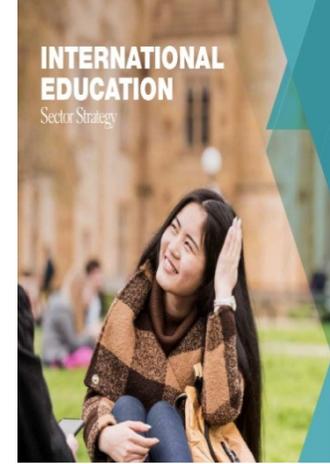
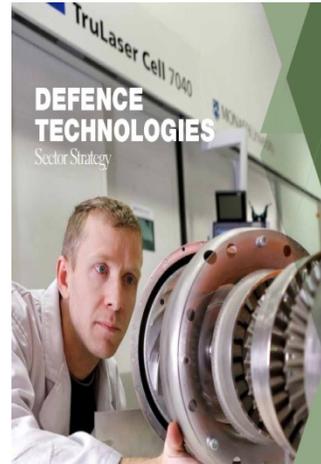
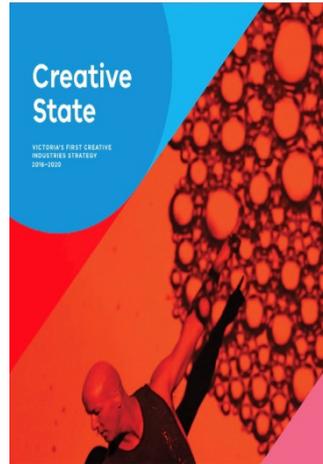


11. Transport technologies

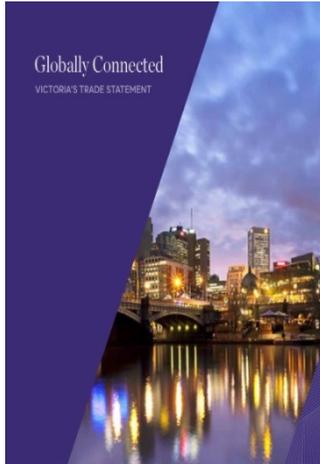


12. Visitor economy

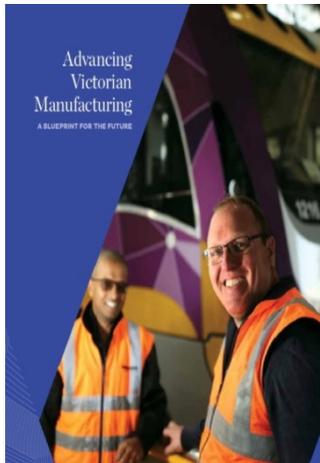
# Sector strategies



## Two recent statements



- Connected
- Focused
- Competitive
- Inclusive



- \$17.88b export in 2015/16
- 283,000 jobs (3<sup>rd</sup> largest employer)
- No.1 industry for R&D spending
- Private new capital spending increased, \$564m (Mar 2016) to \$678m (Mar 2017)

## Business Innovation & Investment Program

- **Provisional Business Innovation & Investment (subclass 188) visa**
  - Business Innovation stream
  - Investor stream
  - Significant Investor stream (SIV)
  - Premium Investor stream (PIV) - Austrade nominated
  - Entrepreneur stream

Leading to Permanent Business Innovation & Investment (subclass 888) visa

- **Permanent Business Talent (subclass 132) visa**
  - Significant Business History stream
  - Venture Capital stream

## All applicants – what are we looking for?

- **Intention to reside in Victoria**
- **Evidence of economic benefit to the state**
- **All investor and business migrants are expected and encouraged to undertake investment and commercial activity that would benefit the Victorian economy, such as:**

**Actively engaging in commercial activity in Victoria beyond their visa requirements**

## All applicants – what are we looking for?

- **Diversifying investment choices**
- **Working with Victorian businesses and engaging local staff where possible**
- **Sourcing products from Victoria**
- **Producing business innovations**
- **Creating links with overseas markets**
- **Providing business expertise and skill**

# Business Innovation stream



## Business innovation and investment visa (subclass 188)

### Business Innovation stream – 188 Victorian nomination requirements

	Victorian nomination requirements
<b>Benefit to Victoria</b>	Business will make a direct contribution to the Victorian economy
<b>Capital</b>	Make available no less than A\$400,000 for business activity in Victoria
<b>Eligible business</b>	<p>Any commercial endeavour; however some activities may be excluded unless agreed upon in writing: passive investment, small scale freight forwarding and warehousing, exporting of commodities and scrap metal, and smaller 'project' based property development.</p> <p>Considerations may include, but may not be limited to: geographic location of the business, job creation/retention, particular industry sector, expanding exports of goods and services that have been value added to, supplier location and product origin.</p>
<b>Other requirements</b>	<ul style="list-style-type: none"> <li>• Engage in ongoing business activity within 23 months of visa activation</li> <li>• Be responsible for the day-to-day operation and strategy of the business</li> <li>• Commitment to own and maintain a management role in a business in Victoria</li> <li>• Demonstrate understanding of the commercial challenges they may encounter when engaging in their proposed eligible business in Victoria.</li> </ul>

PROVISIONAL 188 VISA

PERMANENT 888 VISA

## Progression from provisional to permanent visa Business Innovation stream

Investment period	Residence	Business turnover (DIBP)	Success (DIBP)	Ownership interest (DIBP)	A genuine commitment to remain in VIC & undertake business activity
Owned and operated a <i>viable and sustainable eligible</i> business for <b>at least 2 years</b>	Inside Australia <b>at least 1 year</b> in 2 years before applying (DIBP)  Time absent from Victoria generally should be <b>no more than six weeks per year</b>	Annual turnover of at least A\$300,000 in last 12 months	Meet two of the following: <ol style="list-style-type: none"><li>1. Net value of AU business assets <b>A\$200,000</b></li><li>2. Net value of personal and business assets in AU <b>A\$600,000</b></li><li>3. Employed at least <b>2 full-time</b> AU citizen/ permanent resident or NZ citizen employees</li></ol>	Turnover under A\$400,000 – <b>51%</b>  Turnover over A\$400,000 - <b>30%</b>  Publicly listed company – <b>10%</b>	

*Additional requirements apply, the above is general information only*

# Payment of employees – Subclass 888 visa (Business Innovation stream)

Business owners are required to comply with the National Minimum Wage standards in regards to 'eligible' employees.

For guidance regarding full time and part time employees, holiday pay rate, work cover, superannuation; please consult with your registered accountant.

The Fair Work Commission website provides information about minimum wages: **[fairwork.gov.au](http://fairwork.gov.au)**

# Export business activity - Subclass 888 visa (Business Innovation stream)

Applicants engaging in export activity must demonstrate that the business has made a direct contribution to the Victorian economy. We assess this by looking at:

- the export value of Victorian goods and services
- Victorian jobs created or retained
- the local economic benefits of the business
- assistance to Victorian businesses in exporting their products or addressing market gaps
- the expansion of export markets
- the nature of the business

Applicants must not engage in 'grey market' or 'parallel' exporting.

# Investor stream



## Business innovation and investment visa (subclass 188)

### Investor stream – 188 Victorian nomination requirements

	Victorian nomination requirements
<b>Benefit to Victoria</b>	Make a designated investment in Victorian Treasury Corporation.
<b>Capital required</b>	Make available A\$1.5 million for investment in Victorian Government Bonds for 4 years.
<b>Other requirements</b>	Engage in business or additional investment activity in Victoria. Commit to business and investment in Victoria after designated investment has matured.

PROVISIONAL 188 VISA

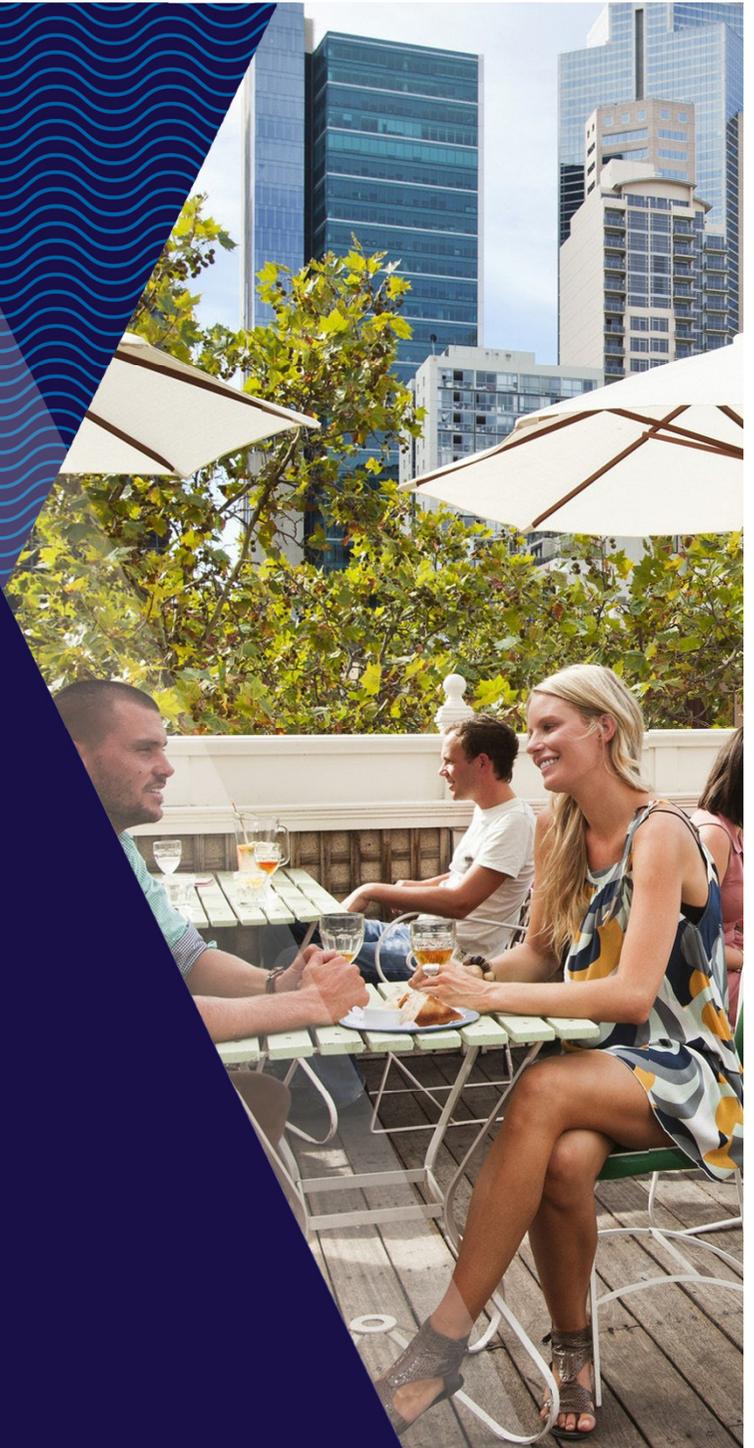
PERMANENT 888 VISA

## Progression from provisional to permanent visa Investor stream

<p><b>Investment period (DIBP)</b></p> <p>Held designated investment for <b>4 years</b> Or <b>3 yrs 11 months</b> for pre-1 July 2015 applicants</p>	<p><b>Residence period (DIBP)</b></p> <p>At least <b>2 years</b> in 4 years before applying</p>	<p>Undertake <b>additional business/ investment activity</b> in Victoria</p>	<p>Established a residence in Victoria and <b>committed to continue to</b> reside in Victoria and undertake business/ investment activity</p>
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*Additional requirements apply, the above is general information only*

# Significant Investor stream



## **Business Innovation and Investment Visa (Subclass 188)**

### **Significant Investor stream – Demonstrating benefit to Victoria**

#### **Venture Capital and Growth Private Equity (VCPE) investment**

Demonstrate economic benefit to Victoria:

- the VCPE fund is actively sourcing investment in Victoria, or
- the VCPE fund provider maintains an office in Victoria.

#### **Emerging companies and balancing investment**

Demonstrate economic contribution to Victoria through the combined 'emerging companies' and 'balancing investment' components:

- Victorian investment is included in the chosen investments, or
- the managed fund provider maintains an office in Victoria.

PROVISIONAL 188 VISA

PERMANENT 888 VISA

Progression from provisional to permanent visa  
Significant Investor stream

<p><b>Investment period</b> (DIBP)</p> <p>Held complying investment for <b>4 years</b></p> <p>Or</p> <p><b>3 yrs 11 months</b> for pre-1 July 2015 applicants</p>	<p><b>Residence period</b> (DIBP)</p> <p>At least <b>160 days</b> in 4 years before applying</p> <p>Or</p> <p><b>720 days</b> for spouse/ de facto partner</p>	<p>Complying investment was of <b>economic benefit</b> to Victoria</p>	<p>Committed to <b>living and investing</b> in Victoria</p>
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*Additional requirements apply, the above is general information only*

# Subclass 188 visa Extension



## Extension nomination for Business Innovation Visa

To be considered for Victorian extension nomination:

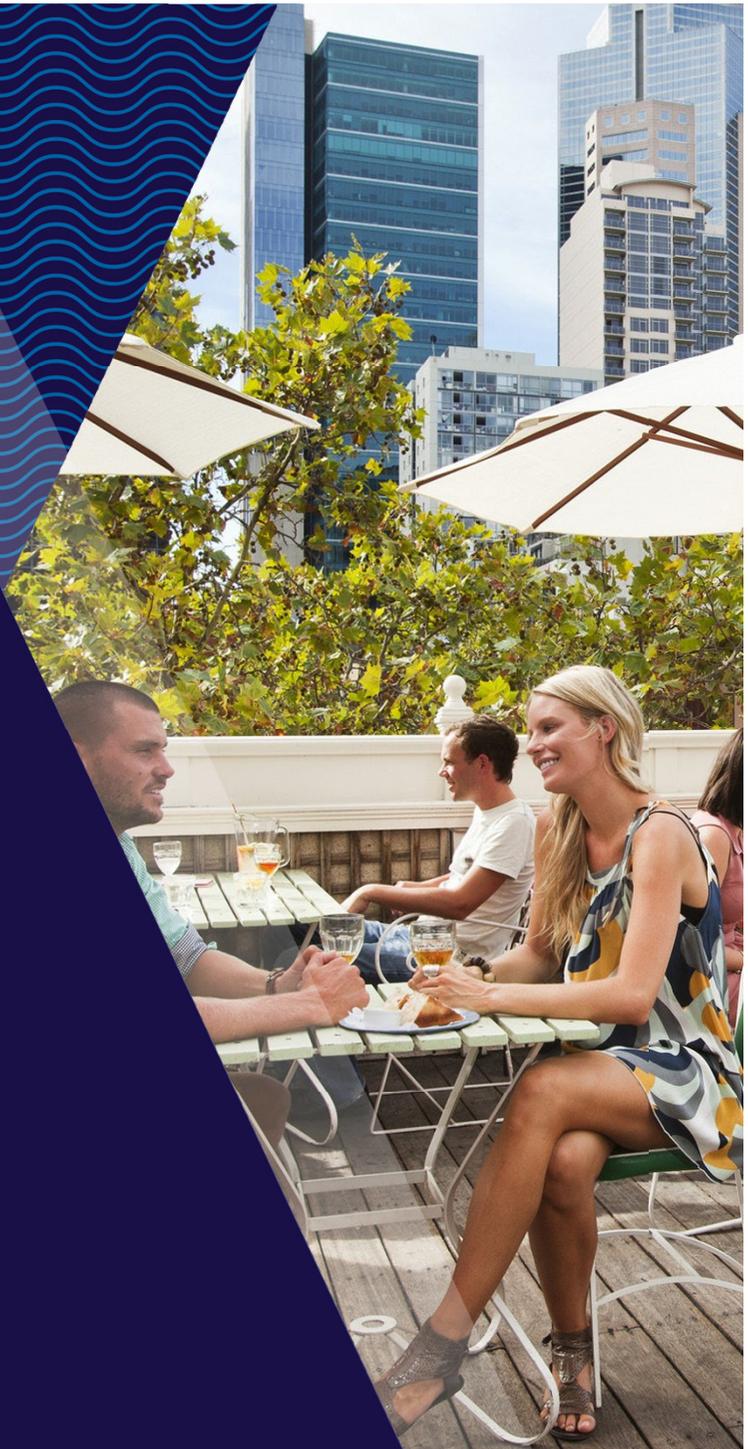
- Applicants must hold a **subclass 188 visa** in the Business Innovation stream
- If an applicant holds a subclass 188 visa in the Business Innovation stream, it must have been held for at least **two years and nine months** (from date of visa grant)
- The applicant must have an ownership interest in an actively operating Victorian business for at least **one year and nine months**
- Applicants are **likely to meet the Victorian nomination criteria** for the permanent subclass 888 visa in the future.

## Extension nomination for Significant Investor Visa

To be considered for Victorian extension nomination:

- Applicants must hold a **subclass 188 visa** in the Significant Investor or Significant Investor Extension stream
- If an applicant holds a subclass 188 visa in the Significant Investor stream, it must have been held for at least **two years and nine months** (from date of visa grant)
- Applicants must have **maintained complying investments** for the duration of their provisional visa(s)
- Applicants are **likely to meet the Victorian nomination criteria** for the permanent subclass 888 visa in the future.

# Business Talent (subclass 132) visa - Significant Business History stream



## Business talent (permanent) visa (subclass 132)

### Significant Business History stream - VIC nomination requirements

	Victorian nomination requirements
<b>Benefit to Victoria</b>	<p>Business proposed must deliver 'exceptional' economic benefit to Victoria. Elements taken into account when assessing the 'exceptional' economic benefit of the business include:</p> <ul style="list-style-type: none"> <li>• introduction of new/improved technology</li> <li>• job creation/retention</li> <li>• expanding exports of value added goods and services</li> <li>• introduction of new <u>skills</u></li> <li>• increasing competitiveness</li> <li>• import replacement</li> <li>• the particular industry sector involved, and</li> <li>• the geographic location of the business.</li> </ul>
<b>Capital required</b>	Generally no less than A\$2,000,000.
<b>Eligible business</b>	Any commercial endeavour. Exclusions include: passive investment, general importing, exporting of commodities and smaller 'project' based property development
<b>Monitoring</b>	24 months after activation of a business talent visa the principal visa holder's activities will be monitored by both the State and Australian Government.

## Business talent (permanent) visa (subclass 132)

	New Victorian nomination requirements
<b>Property development</b>	<p>You must meet the following additional requirements:</p> <ul style="list-style-type: none"><li>• have relevant qualifications and experience (e.g. architecture, engineering, construction management)</li><li>• the property development activity aligns with one of <a href="#">Victoria's priority sector strategies</a></li><li>• the minimum A\$2 million capital investment does not include land purchase costs</li><li>• activity must not be small scale, project-based property development.</li><li>• You will be required to complete the 'Property Development Assessment' Form available on the <a href="#">Supporting Documentation and Forms page</a>.</li></ul> <p><a href="#">Supporting Documentation and Forms page</a></p>

## Support services

Business and Investor migrants who apply for Victorian visa nomination have access to support services including:

- A dedicated **Skilled and Business Migration Team** employed by the Victorian state government, here to help you during your migration journey
- **Information** on trade and investment in Victoria
- Information **resources** on relocating and doing business in Victoria
- **Fast, flexible visa nomination at no charge.**



LIVE IN  MELBOURNE  
Australia

# Thank You

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