



Business Innovation and Investment (Provisional) visa (subclass 188) Significant Investor Stream

Document checklist for visa applications

Please refer to this checklist if you are applying for the subclass 188 visa in the Significant Investor Stream **before 1 July 2015**.

This checklist is to assist you to ensure all your documents are ready to be included in your application if you are invited to apply for this visa through SkillSelect. You should provide your supporting documents to the Hong Kong Business Skills Processing Centre immediately after you have lodged your online application.

You should provide 'certified copies' of original documents. The certification must be by a person prescribed in clause 2.13(5) of the Migration Regulations 1994. You should not provide original documents unless asked to do so. In addition, any documents not in English must be accompanied by accredited English translations.

It is important that you folio and present all documents in the order outlined below. It is essential that the pages are numbered from the bottom up. To facilitate the filing process, please do not bind the documents.

Please note that claims made in the application and supporting documentation may be subject to verification checks. Site visit to the business premises may be conducted at any time during the assessment process.

Bogus documents and false or misleading information

Public Interest Criterion ("PIC") 4020 applies to Business Innovation and Investment visa applications. This means an application may be refused if a bogus document or false or misleading information has been given to the department in relation to a visa application. An applicant refused under PIC 4020 may face a three-year bar on the grant of another visa (or a ten-year bar if the bogus document or false or misleading information relates to identity fraud). For further details on PIC 4020, please refer to information available on the department's website.

Significant Investor stream

If you are applying for this stream, provide the following documentation.

A. ASSETS PROPOSED TO BE USED TO MAKE COMPLYING INVESTMENTS	
<p>Provide evidence that the assets proposed to be used to make the complying investments are unencumbered and lawfully acquired.</p> <p>a) A Statement of Assets and Liabilities Position (SALP) Form 1139a completed at a date that is within three months preceding the lodgement of your application.</p> <p>b) Evidence of ownership and value of assets (minimum AUD5 million) proposed to be used to make the complying investments. You must include evidence of liabilities (if any) against each asset (for example mortgages, loans including unsecured and third party loans, credit cards). Evidence must be provided for each asset / liability recorded in the SALP. Each document must be clearly labelled identifying the asset / liability and cross-referencing it to the SALP.</p> <p>i) For cash assets, provide bank statements or certificate of deposits for the date nominated on your SALP.</p> <p>ii) For real estate assets, for the date nominated on your SALP, provide:</p> <ul style="list-style-type: none">• evidence of ownership (title deeds)• evidence of value (valuation certificate by an accredited property valuer)• evidence of relevant mortgage. <p>iii) For business loans, for the date nominated on your SALP, provide loan agreements, loan statements indicating amount borrowed and repayment schedule, listed in business balance sheet.</p> <p>iv) For ownership of business(es), for the date nominated on your SALP, provide:</p> <ul style="list-style-type: none">• evidence of ownership of the business(es)• partnership /trust / franchise agreements• evidence of value of the business(es). For listed companies, the published annual report. For unlisted companies, financial statements prepared by an independent accountant to international accounting standards including balance sheet and notes to the accounts or a review report conducted in accordance with ISRE2400 by qualified accountants.	

<p>v) For stocks and bonds: stocks trading account statements, stocks or bonds registers, stocks / fixed interest securities / debentures certificates, transfer certificates etc for the date nominated on your SALP.</p> <p>vi) For assets held via a trust, provide a copy of the trust deeds.</p> <p>c) A signed declaration on your proposed method of fund transfer to make the complying investments. Please note that you will need to demonstrate with the relevant transfer / bank records that the funds ultimately available to make the complying investments are originated from the assets nominated to make the complying investments. The trail of funds must also be reasonably established with supporting evidence.</p> <p>d) Provide an overview of your complying investment intentions in Australia, which should include:</p> <ul style="list-style-type: none"> i) An outline of intended investments and/or business activities in Australia. ii) Description of the nature of research or study in relevant sectors in Australia with regards to your business intentions if investing directly into an Australian private company. 	
B. SOURCE OF FUNDS	
<p>a) A signed declaration that the “source of funds” of your portfolio has been lawfully acquired.</p> <p>b) Evidence to substantiate claims made in your source of funds declaration.</p> <ul style="list-style-type: none"> i) For business income: evidence supporting business ownership, performance and profit distribution (e.g. company registration and shareholder records, financial statements, taxation records etc.). ii) For investment income: evidence supporting investment activities and performance (e.g. statements issued by stocks trading company, property purchase and sale contracts, leases, investment product contracts etc.). iii) For gifted / inherited assets, duly witnessed gift deeds / wills and evidence demonstrating how the gift provider accumulated such assets. iv) For historical accumulation of wealth where official verifiable evidence is no longer available, bank records demonstrating continuous ownership of funds over a substantial period may assist. 	

c) For assets held in Australia, evidence to link the assets to the declared sources will also be required.	
C. COMPLYING INVESTMENTS	
<p>Note: You are not required to have made the complying investments at the time that you apply. You will be advised when you are required to make the complying investments and when this evidence is required.</p> <p>a) Documents showing the liquidation of assets evidenced in section A and transfer of those funds to make the complying investments.</p> <p>b) Evidence that you have made the complying investments:</p> <p>i) For complying investments in state or territory government bonds provide a holding statement by the state or territory government.</p> <p>ii) For complying investments in eligible managed funds (that invest in Australian assets) provide a holding statement by the fund manager. The fund manager will also be required to provide a declaration that the fund complies with the department's requirements for investing in Australian assets Form 1413 Declaration in relation to managed funds.</p> <p>iii) For complying investments into private Australian companies provide a shareholder certificate and company extract from ASIC in relation to the shareholder information of the company.</p> <p>Provide a signed Form 1412 Deed of Acknowledgement, Undertaking and Release.</p>	

Documents for all applications

You should provide the documents in sections D to E.

D OTHER DOCUMENTS	
<p>a) For each applicant aged 18 years or older claiming functional English, please refer to the following website for information on how to prove the applicant has functional English</p> <p>http://www.border.gov.au/about/corporate/information/faqs/how-can-i-prove-i-have-functional-english</p> <p>b) For each applicant aged 18 years or older who have less than functional English, provide a statement indicating your intention to pay the second visa application charge</p>	

E. PERSONAL DOCUMENTS	
a) Copies of the biographical pages of the current passports for each applicant (where passport is renewed after application lodgement, certified copy of the renewed passport is required to be submitted)	
b) Identity cards issued by the relevant authority	
c) Notarial certificates of birth for all applicants (and hospital issued birth certificates where available)	
d) If any applicants have changed their names, provide a notarial certificate of the name change	
e) Household registration	
f) Marriage certificate or evidence of de facto relationship where applicable	
g) Divorce certificate (with divorce agreement) and evidence of custody for children where appropriate	
h) Evidence of permit/penalty paid/social maintenance fee paid for the birth of more than one child.	
i) Evidence of financial dependency for all dependents aged 18 or older	
j) If you want to bring a child younger than 18 years of age with you to Australia, and that child's other parent is not included in the application, provide documentary evidence that you have the legal right to bring that child to Australia, including: <ul style="list-style-type: none"> • a notarial statement of consent from the non-migrating parent ; or • Certified copies of official legal documents, such as a court-issued order permitting the removal of the child for settlement in Australia 	
k) If any dependent child included in the application is adopted, provide the official adoption certificate and adoption papers	
l) Two recent (not more than 12 months) passport sized photos of each applicant (print the name of the person on the back of each photo)	
m) Applicant's address in Chinese characters	
n) The original military discharge certificate for applicants who have served in the armed forces of any country for any length of time, in either a voluntary or compulsory capacity, in the past 10 years	