



Business Innovation and Investment (Provisional) visa (subclass 188) Document checklist for visa applications

Please refer to this checklist if your nominated assets/business(es) are in the **People's Republic of China ("the PRC")**.

For information on what this visa let you do and general eligibility, please see [Business Innovation and Investment \(Provisional\) visa \(subclass 188\)](#)

This application document checklist details the information and supporting documents required to assist with the lodgement of a complete visa application. You may be required to provide additional information and documentation after your application is lodged.

This checklist does not highlight all criteria required to be met for the grant of the visa; it only lists what documents are required to support your application.

For guidelines on documentation requirements, please refer to: [Documentation Guide for Business Innovation and Investment Visa Applications from PRC residents](#)

If your application is lodged before 13 November 2021:

You should provide your supporting documents to the Hong Kong Business Skills Processing Centre immediately after you have lodged your online application. Due to the volume of evidence required we cannot accept these documents by email. All documents must be sent by post or courier to the Australian Consulate-General Hong Kong at

Hong Kong Business Skills Processing Centre
23/F, Harbour Centre
25 Harbour Road
Wan Chai, Hong Kong

Please do not email attachments as this will cause delays in the processing of your application. We do not send acknowledgement advice for the receipt of attachments.

Certifying and translating documents

Unless asked to do otherwise, you should provide 'certified copies' of original documents, rather than the original documents. For further information on certified documents, please refer to [Certifying Documents](#)

Any document in a language other than English must be accompanied by accredited English translations.

- A translator in Australia must be accredited by the National Accreditation Authority for Translators and Interpreters.
- A translator outside Australia does not need to be accredited, but they must endorse the translation with their full name, address, telephone number, and details of their qualifications and experience in the language being translated.

If your application is lodged on or after 13 November 2021:

You must lodge supporting documents for your visa application online through ImmiAccount. In most circumstances we will no longer be accepting supporting documentation by mail. For further information on attached documents to an application, please refer to [attach documents to an application](#).

Certifying and translating documents

Scan all original documents (English and non-English) in colour. If a document is more than one page, save it all as one file. Attach a document only once, even if you are using it to show more than one thing. You do not need to have any documents certified.

The scans must be legible and [meet our requirements](#). If you attach low quality scanned documents, processing of your application may be delayed.

Any document in a language other than English must be accompanied by accredited English translations.

- A translator in Australia must be accredited by the National Accreditation Authority for Translators and Interpreters.
- A translator outside Australia does not need to be accredited, but they must endorse the translation with their full name, address, telephone number, and details of their qualifications and experience in the language being translated.

Can someone else assist me in relation to my visa application?

If you require assistance with your visa application you may consider engaging a registered migration agent to help you in your dealings with the department. The Office of the MARA website has a list of all agents with a valid registration. Please see "[Registered Migration Agent](#)"

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. If you provide us with fraudulent documents or claims, this may result in processing delays and possibly your application being refused.

IMPORTANT: Please provide a selection of documents and supporting evidence that best support your claims, as processing may be delayed when excessive documents are provided.

Business Innovation stream

If you are invited to apply for the subclass 188 visa in the Business Innovation stream, please provide the documentation under sections A to C.

A. BUSINESS DOCUMENTS	
<p>1) Overview</p> <ul style="list-style-type: none">i) Overview of your business career. If any of your business has operated at a loss and/or has accumulated losses, is or has been subject to insolvency, receivership, liquidation or bankruptcy, please provide further detailsii) Overview of your business intentions in Australia: a statement describing your proposed business activities; and how your role in the business requires you to reside and commit to establish the proposed business in Australia to benefit the Australian economy	
<p>2) Business Ownership</p> <ul style="list-style-type: none">i) Business Licenceii) To support ownership claims prior to 1 March 2014, provide capital verification reports (CVR), Articles of Association (AoA), share transfer agreements etc. as certified ('chopped') by the supervising Administration for Industry & Commerce (AIC) office or State Administration for Market Regulation (SAMR)iii) To support ownership claims on or after 1 March 2014, provide AoA, share transfer agreements, shareholders' resolution and annual reports filed with the supervising AIC or SAMR with information on company profile, capital contribution and shareholding structureiv) Historical company extracts and up-to-date Company Search issued by the supervising AIC or SAMR (see Documentation Guide for details)v) Partnership agreement, joint venture agreement, Ministry of Commerce approval for establishment of foreign investment enterprises where applicable	
<p>3) Financial Documentation</p> <ul style="list-style-type: none">i) Special Purpose Report on business turnover prepared to International Standard on Related Services ("ISRS") 4400 for 2 of the 4 fiscal years immediately before the time of invitation to apply for the visa (see Documentation Guide for details)ii) PRC financial statements of the business for the two fiscal years under reviewiii) Certified true copies of Profits/Enterprise Income Tax returns and payment receipts and Business/Value Added Tax returns and payment receipts filed with the Taxation Bureau for the two fiscal years under review	

<p>4) Management</p> <ul style="list-style-type: none"> i) Organisational chart showing your position in the business, staff attribution, management reporting lines and functional responsibilities ii) Photos of the business, including premises and business activities (max. six photos) iii) Business card with current business address and your mobile phone number iv) Evidence that you have participated in the day-to-day management of the business for 2 of the 4 fiscal years before you were invited to apply, such as business contracts, minutes of meetings and documents authorised by you <p>The evidence needs to demonstrate your involvement in decisions about the management of all or substantial part of the business and responsibility for such areas as strategic management, recruitment, price structure, profitability and expenditure</p> <p>If you had been engaged in one or more businesses providing professional, technical or trade services during the nominated years, please submit a statement advising how much time you usually spend on providing professional, technical or trade services as opposed to the management of the businesses in general with evidence in support</p>	
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B. NET ASSETS OF APPLICANT AND/OR SPOUSE OR DE-FACTO PARTNER AVAILABLE FOR TRANSFER WITHIN 2 YEARS OF GRANT	
<p>1) A Form 1139A Statement of Assets and Liabilities Position (SALP) outlining ALL assets and liabilities position on a date within 3 months before the time of invitation to apply for the visa</p>	
<p>2) Evidence of ownership of each asset, its value, and any liabilities against it as at the date nominated</p> <p>Note: all assets should be valued at the same date as per the SALP</p> <ul style="list-style-type: none"> i) For cash – fixed term deposit certificate, bank statement showing the account holder’s name and balance as at the date you nominated ii) For real estate – title deed, evidence of purchase, evidence of mortgages or other encumbrances against the property, valuation in accordance with standards set out in the Documentation Guide as at the date you nominated iii) For ownership interest in a business – review report on the financial statements of the business (balance sheet and profit & loss statement) in accordance with International Standard on Review Engagements (“ISRE”) 2400, the balance date should be the date you nominated (see Documentation Guide for details) iv) For loan to a business - loan agreement showing the names and details of the borrower and the lender; loan statement issued by the business indicating amount 	

borrowed, repayment schedule and the outstanding amount; banks statements of the business clearly indicating funds transferred from you / deposited by you or transferred / paid to you	
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C. SOURCE OF FUNDS FOR START UP CAPITAL OF THE BUSINESS AND NET ASSETS OF APPLICANT AND/OR SPOUSE OR DE-FACTO PARTNER	
1) A signed declaration on source of funds for the investment principal and net assets	
2) Evidence to substantiate claims made in the declaration on source of funds (see Documentation Guide)	

Investor stream

If you are invited to apply for the subclass 188 visa in the Investor stream, please provide the documentation under sections D to H.

D. INVESTMENT EXPERIENCE	
1) A summary statement of your management activities of eligible investments / qualifying business(es) covering at least 3 years	
2) a few documents as evidence of your direct involvement and high level of skill in managing the eligible investments/qualifying business(es) for the periods covered in the summary statement	
3) Overview of your proposed business or investment intentions in Australia	

E. EVIDENCE OF MANAGEMENT / OWNERSHIP / VALUE	
1) Applications based on Qualifying Business(es)	
i) Evidence of management for at least 1 of the 5 fiscal years immediately before time of invitation, showing your direct involvement in management of the business and day-to-day decision making	
ii) Organisational chart of the business for the above year(s), showing direct management reporting lines and functional responsibilities	
iii) Business Licence	
iv) To support ownership claims prior to 1 March 2014, provide capital verification reports, Articles of Association (AoA), share transfer agreements etc. as certified ('chopped') by the supervising Administration for Industry & Commerce (AIC) office or State Administration for Market Regulation (SAMR)	
v) To support ownership claims from 1 March 2014, provide company's AoA, share transfer agreements, shareholders' resolution and annual reports filed with the AIC or SAMR with information on company profile, capital contribution and shareholding structure	

<p>vi) Historical company extracts and up-to-date Company Search issued by the supervising AIC or SAMR (see Documentation Guide)</p> <p>vii) Review report on the financial statements of the business (balance sheet and profit & loss statement) in accordance with ISRE 2400 (see Documentation Guide)</p>	
<p>2) Applications based on Eligible Investments</p> <p>i) Evidence of management of eligible investments claimed for at least 1 of the 5 fiscal years immediately before time of invitation, including their total net value and a statement of your direct management of each eligible investment</p> <p>ii) Each document should be clearly labelled identifying the eligible investment and cross-referencing the investment to the appropriate item on the Form 1139A Statement of Assets and Liabilities Position (“SALP”)</p> <p>iii) If stocks and bonds are claimed as eligible investments, please provide:</p> <ul style="list-style-type: none"> - a Special Purpose Report on Investment Activity prepared to ISRS 4400 (see Documentation Guide); and - Securities Account Holdings Statements issued by the Shanghai and Shenzhen branches of China Securities Depository and Clearing Corporation Ltd as relevant 	

<p>F. NET VALUE OF ASSETS OWNED BY APPLICANT AND/OR SPOUSE OR DE-FACTO PARTNER FOR THE 2 FISCAL YEARS IMMEDIATELY BEFORE TIME OF INVITATION</p>		
<p>1) A separate Form 1139A Statement of Assets and Liabilities Position (SALP) should be completed for:</p> <ul style="list-style-type: none"> - the end of the 2 consecutive fiscal years immediately before the time of invitation to apply for the visa; and - at the time of invitation (where the date of invitation is 3 months or more after the end of the most recent fiscal year) 		
<p>2) Each asset listed on the SALP should be cross-referenced to evidence of ownership and value. You must include evidence of liabilities (if any) against each asset (e.g. mortgages, loans including unsecured and third party loans, credit cards) (note: evidence of value for each asset / liability must be provided for each point in time as per the SALPs)</p> <p>i) For cash on deposit – bank statements, fixed term deposit certificates issued as at the same balance date of each SALP</p> <p>ii) For real estate – title deeds, evidence of purchase, evidence of mortgages or other encumbrances against the properties, valuation in accordance with standards set out in the Documentation Guide</p> <p>iii) For ownership interest in a business/loan to a business – review report on the financial statements of the business (balance sheet and profit & loss statement) in accordance with ISRE 2400</p>		

iv) For stocks and bonds – Statements from the securities company; and Securities Account Holdings Statements issued by the Shanghai and Shenzhen branches of China Securities Depository and Clearing Corporation Ltd as relevant (see Documentation Guide)	
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G. SOURCE OF FUNDS - CAPITAL CONTRIBUTIONS OF QUALIFYING BUSINESS OR ELIGIBLE INVESTMENTS UNDER SECTION E AND NET ASSETS UNDER SECTION F	
1) A signed declaration on source of funds for the investment principal and net assets	
2) Evidence to substantiate claims made in the declaration on source of funds	

H. INVESTMENT PROPOSAL	
1) If you were invited to apply before 1 July 2021 <ul style="list-style-type: none"> i. Evidence that funds proposed to be used to make the Designated Investment (DI) were unencumbered and accumulated from qualifying businesses and/or eligible investments ii. Indication in the most recent SALP which assets will be used to make the DI iii. Signed declaration on your proposed method of fund transfer to make the DI 	
2) If you were invited to apply on or after 1 July 2021 <ul style="list-style-type: none"> i. Evidence that funds proposed to be used to make the Complying Significant Investment (CSI) were unencumbered and accumulated from qualifying businesses and/or eligible investments ii. Provide a list of your intended CSI and the amounts of each investment iii. Signed declaration on your proposed method of fund transfer to make the CSI 	

Documents for all applications

You should provide the documents in sections I to K regardless of whether you are invited to apply for the subclass 188 visa under the Business Innovation stream or the Investor stream.

Provide documents only for items for which you seek to be awarded points.

I. POINTS TEST	
<p>Please provide the documents outlined below to support claims made in your Expression of Interest as relevant. Please cross reference documents for the award of points.</p> <p>** Where references are made to a 'main business', please note:</p> <ul style="list-style-type: none"> - For a business to be a main business, there are certain regulatory requirements that the business must satisfy. Please refer to reg 1.11 for the definition of a 'main business' - No more than two main businesses may be nominated throughout the application (i.e. an applicant could not nominate another business for the purposes of meeting the points test items if they had already nominated two main businesses in meeting the other visa criteria) - If the main business nominated to meet the points test items is not also nominated for the purposes of meeting the other visa criteria, please provide in relation to the business: a) business ownership records (see section A2); b) PRC financial statements and associated Enterprise Income Tax returns for the relevant year/s; and c) sample management documents to evidence your management involvement for the relevant year/s - Where references are made to a 'fiscal year', please refer to reg. 1.03 for the definition of a 'fiscal year'. In the PRC, a fiscal year is considered to be a calendar year (1 January to 31 December) 	
<p>1) Age – refer to personal documents required at section K</p>	
<p>2) English</p> <p>i) To be awarded points for higher English language ability you must demonstrate that you have either vocational English or proficient English at the time of invitation to apply</p> <p>For documentary requirements on vocational English, please refer to: vocational English</p> <p>For documentary requirements on proficient English, please refer to: proficient English</p>	
<p>3) Educational</p> <p>i) For qualifications attained in the PRC, please provide:</p> <ul style="list-style-type: none"> a) A notarial certificate of your bachelor certificate and certificate of graduation; and b) A credentials report issued by China Academic Degrees & Graduate Education Development Centre ("CDGDC") in relation to the bachelor qualification; and c) Academic transcripts in relation to the bachelor qualification; or <p>ii) For qualifications attained elsewhere, please provide a certified true copy of the relevant award certificate and associated academic transcripts</p>	

<p>4) Business Experience / Investor Experience</p> <p>i) For business experience, please provide evidence covering the total number of years you had held your main business** prior to the time of invitation, including:</p> <ul style="list-style-type: none"> a) Business ownership records – refer to section A2; and b) Financial documentation – refer to section A3; and c) Management – refer to section A4 <p>ii) For investor experience:</p> <ul style="list-style-type: none"> a) Documentary evidence for the first year that will establish your history of investment experience. For example, if you are seeking to demonstrate investment experience of more than 7 years, provide evidence of investment activity for the first year of the 7 years immediately before the time of invitation; and b) A SALP for the first and each subsequent year for the claimed period of investment experience to indicate that the eligible investments held by you had a value of not less than the required value throughout the claimed investment period; and c) A statement signed by you of your management of the investments over the claimed investment period 	
<p>5) Financial assets (net personal and business assets held by you and/or your spouse or de-facto partner)</p> <p>i) SALP for the end of the 2 consecutive fiscal years immediately before the time of invitation to apply for the visa; and</p> <p>ii) For each asset/liability listed on the SALPs, provide evidence of ownership, value and source of funds for each of the relevant points in time – refer to section B2 and section C</p>	
<p>6) Business Turnover</p> <p>i) If you are applying under the Business Innovation stream, please provide cross reference to documents provided at sections A2 to A4</p> <p>ii) If you are applying under the Investor stream and had an ownership interest in one or more main businesses** that had the required annual turnover in at least 2 of the 4 fiscal years immediately before the time of invitation to apply for the visa, please refer to sections A2 to A4 for supporting documents required</p>	

7) Innovation

i) Registered Patents / Registered Designs (known as Design Patents in the PRC)

- a) Documents issued by or printed from the web-based electronic databases of China National Intellectual Property Administration (CNIPA) in relation to the registered patent/design owned by you or your main business** (for details required to be included in the documents, refer to the Documentation Guide); and
- b) Where ownership was acquired via transfer, evidence of transfer such as deed of transfer, merger document, endorsed by the CNIPA; and
- c) A detailed statement outlining how the registered patent or registered design is relevant to the operations of the main business** and how it is applied in the day-to-day activities of the business, and evidence to support claims made in the statement

ii) Registered Trademark

- a) Documents issued by or printed from the web-based electronic databases of CNIPA in relation to the registered trademark owned by you or your main business** (for details required to be included in the documents, refer to the Documentation Guide); and
- b) Where ownership was acquired via transfer, evidence of transfer such as deed of transfer, merger document, endorsed by CNIPA; and
- c) A detailed statement outlining how the registered trademark is relevant to the operations of the main business** and how it is applied in the day-to-day activities of the business, and evidence to support claims made in the statement

iii) Joint Venture

- a) A copy of the joint venture agreement between your main business** and other business/es showing: the details of the respective rights and obligations of the parties to the joint venture; and that the agreement was entered into at least one year before you were invited to apply for this visa; and
- b) A detailed statement outlining how you in the relevant period utilised your skills at a senior level in the day-to-day management of the joint venture business and that the joint venture was operated in accordance with the joint venture agreement, and evidence to support claims made in the statement

iv) Export Trade

- a) Where either a review report or a special purpose report is required in meeting other visa criteria in relation to the main business**, additional procedures and findings in the report in relation to the export sales of the main business for 2 of the 4 fiscal years before the time of invitation may be included (documents such as tax returns and customs declarations reviewed by the accountant should be made available as part of the reports); or
- b) Where neither reports are required in meeting other visa criteria in relation to the main business** (i.e. another main business was nominated for the purposes of other visa criteria), you should provide the value added tax returns filed with the relevant taxation bureau showing the cumulative turnover and export sales of the business for 2 of the 4 fiscal years immediately before the time of invitation, and representative samples of the associated customs declarations and/or underlying export transaction documents

v) Gazelle Business

- a) A business license or company search issued by the supervising Administration for Industry & Commerce office which shows the main business** was registered no more than five years before you were invited to apply for this visa; and
- b) Financial documentation – PRC financial statements and associated Enterprise Income Tax returns and receipts of the business for 4 consecutive fiscal years prior to the time of invitation showing an average annualised growth in turnover greater than 20 per cent per year over three consecutive fiscal years; and
- c) Evidence that you have had 10 or more full-time employees for at least one fiscal year in the same consecutive three-year period claimed for growth in turnover, such as taxation records, insurance or superannuation records or similar business records identifying each employee by name

vi) Receipt of Grant or Venture Capital Funding

- a) In relation to government grants:
 - The grant letter issued by the relevant PRC government authority outlining the basis of the grant; and
 - Bank records showing the transfer of the grant money from the government authority to you or your main business** was made within the 4 years before you were invited to apply for this visa

<p>b) In relation to venture capital funding:</p> <ul style="list-style-type: none"> - A copy of the final contract entered into between you or your main business** and the venture capital firm with a plain English letter to explain the amount and purpose of the venture capital; and - Documents in relation to the transfer of capital into the investee company including but not limited to a Memorandum of Association and the shareholders' agreement of the investee company showing the venture capital was received within the 4 years before you were invited to apply for this visa 	
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J. ENGLISH LANGUAGE ABILITY		
<ol style="list-style-type: none"> 1) All applicant aged 18 years or older at the time of application should have at least functional English. "How can I prove I have functional English" explains how you can demonstrate your language ability 2) If you or your dependants have less than functional English, provide a statement indicating your intention to pay the second visa application charge for each person with less than functional English 		

K. PERSONAL DOCUMENTS		
<ol style="list-style-type: none"> 1) Certified copies of the biographical pages of the current passports of all people included in the application (where passport is renewed after application lodgement, certified copy of the renewed passport is required to be submitted) 		
<ol style="list-style-type: none"> 2) Identity cards issued by the PRC authority and HKSAR authority where appropriate 		
<ol style="list-style-type: none"> 3) Notarial certificates of birth for all applicants (and hospital issued birth certificates where available) 		
<ol style="list-style-type: none"> 4) If any applicant included in the application has changed their names, provide a notarial certificate of the name change 		
<ol style="list-style-type: none"> 5) Household registration 		
<ol style="list-style-type: none"> 6) Marriage certificate or evidence of de facto relationship for at least 12 months (e.g. joint bank account statements, joint ownership of major assets) 		
<ol style="list-style-type: none"> 7) Divorce certificate and evidence of custody for children where appropriate 		
<ol style="list-style-type: none"> 8) Evidence of financial dependency for all dependents aged 18 or older 		

<p>9) 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:</p> <ul style="list-style-type: none"> • a notarial statement of consent from the non-migrating parent together with contact number of the parent giving consent; or • a completed Form 1229 (consent form to grant an Australian visa to a child under the age of 18 years) with a certified copy of the non-migrating parent's government-issued identification document (e.g. passport) with their photograph and signature; or • certified copies of official legal documents, such as a court-issued order permitting the removal of the child for settlement in Australia 	
<p>10) If any dependent child included in the application is adopted, provide the official adoption certificate and adoption papers</p>	
<p>11) 1 recent (not more than 12 months) passport sized photo of each applicant (print the name of the person on the back of each photo)</p>	
<p>12) Applicant's address in Chinese characters</p>	
<p>13) Certified copy of 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</p>	