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South Australian nomination for BIIP Entrepreneur stream (Permanent) subclass 888 visa

This factsheet provides an overview of the requirements and process for Business Innovation and Investment Program (Provisional) visa (subclass 188) holders in the Entrepreneur stream (invited to apply on or after 1 July 2021) applying for permanent residency subclass 888. It summarises the roles of the following three organisations involved in assessing visa holders' eligibility:

Service providers – providing advice to the Department of State Development (DSD) on whether they endorse the visa holder based on their entrepreneurial activity in South Australia, including whether visa holders appear to/may satisfy the relevant Commonwealth visa criteria.

The Department of State Development – nominating endorsed provisional visa holders to apply for their permanent visa from the Department of Home Affairs. DSD will also consider applications for statements of success from a state/territory government nominator.

The Department of Home Affairs – has ultimate responsibility for the visa assessment and outcome.

Further information is provided on the Move to SA website [888 nomination streams document checklist | Move to South Australia](#).

Process and requirements:

Step	Responsible party	Details
1. Applicant self-assessment	The applicant or their registered representative	Self-assess that they meet Commonwealth visa requirements before applying for endorsement from a service provider.
2. Applicant seeks service provider endorsement	Service provider	Assessment for endorsement to DSD The applicant's entrepreneurial activity must have been undertaken in South Australia, and while holding the provisional Entrepreneur visa (subclass 188). The service provider must advise DSD on whether the applicant's entrepreneurial activity is considered to meet the Commonwealth's success factors and provide confirmation that the activity has been undertaken in South Australia. Applicants will be informed that State endorsement does not guarantee a positive visa outcome, which is at the discretion of the Commonwealth. DSD considers service provider endorsement

Commented [AS1]: We need to delete first link 'Nomination requirements' as it only refers to business innovation and investment (business or investment activity, exports).
The second link is ok but we need to change its name to "888 nominations streams document-checklist". Here we can find link to [888 nomination streams document checklist | Move to South Australia](#) where entrepreneur stream is spelled out.

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		as advice that the applicant satisfies the Commonwealth's criteria. Service providers should not endorse applicants who have not met the Commonwealth's definition for an overall successful record of undertaking activities of an entrepreneurial nature. That is, situations where: ○ The applicant does not satisfy sufficient Commonwealth's success factors without receiving a statement of success from a state or territory government nominator, and the service provider does not consider the entrepreneurial activity to have provided sufficient benefit to South Australia. ○ The applicant does not satisfy sufficient Commonwealth's success factors even if they were to receive a statement of success from a state or territory government nominator. Where service providers consider that an applicant requires a statement of success from a state or territory government nominator to meet baseline Commonwealth criteria, their application should be referred to DSD. DSD will subsequently contact the applicant if required, before confirming whether the applicant was successful.
3. Application for nomination by a state or territory government agency	Department of State Development	DSD verifies if the applicant has held the provisional Entrepreneur visa (subclass 188) for the minimum period that applies. DSD verifies the applicant's primary place of residency (e.g., bank statements, council rates, lease agreement or utility bills) is South Australia, for the majority of the duration of their 188 visa. <i>Note: The Commonwealth requires that applicants have resided in Australia for two years as the holder of a Business Innovation and Investment (Provisional) visa (subclass 188) in the Entrepreneur stream. DSD requires that the majority (over 50 per cent) of the two years has been in South Australia.</i> <i>DSD cannot verify the actual number of days spent physically in Australia to ensure the Commonwealth residency requirement has been satisfied.</i> State nomination is contingent on endorsement from service provider.

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		○ For the purposes of South Australian nomination, the statement of success from DSD will correspond to the endorsement provided by the service provider. Where a service provider has been unable to provide firm advice, DSD records and assesses the following information relating to the applicant's entrepreneurial activity to assess whether the key success factors required by the Commonwealth will be met: ○ Industry sector. ○ Financial statements or payslips. ○ Ownership interest. ○ Total new full time equivalent positions created. ○ Total value of turnover in the last 12 months. ○ Provisional patents filed. ○ Standard or innovative patents acquired. ○ Total external funding or investment into entrepreneurial activity. ○ Partnerships with universities. ○ Sale value of the entrepreneurial activity. DSD may request additional information to assist with its nomination function.
4. Visa application to Commonwealth Government	Department of Home Affairs	The entrepreneurial activity must have been undertaken while in Australia, and while holding the provisional Entrepreneur visa (subclass 188). The Commonwealth assesses the primary applicant's entrepreneurial activities by looking at success factors and considers other visa criteria, including health, character and criminal requirements / checks. Applicants should be referred to the Commonwealth visa requirements website that outlines all obligations and eligibility requirements, as well as the process for applying for the Entrepreneur stream (Permanent) subclass 888 visa.