

How You Qualify For Aussie Visa

Australian immigration solicitor Mege Dalton explains to **DOUG CASEY** what Irish business people need to know about establishing a business down under

As Ireland's economy seems doomed to years in the doldrums, sunny Australia could be an option for business people who want a new start. The goliath that is China should lift all boats in Asia over the coming decade, though Australia has not escaped the impact of the global recession. Unemployment in Australia rose from 3.9% in 2008 to 5.8% last year, the highest rate in almost six years. That's still well below the OECD average of 8.3% and much better than Ireland's official rate of 12.7%.

Australia's fiscal stimulus package seems to have cushioned the decline in employment caused by the global economic downturn. Canberra's fiscal package was the third largest after Korea and the United States among OECD countries. Adjustments to working hours may have prevented more widespread job

losses, but are also leading to growing discontentment. There are now almost 885,000 underemployed workers - part-timers who want to work more - in Australia, an increase of 23% from the same time two years ago. The unemployment rate for 15-19 year olds is almost three times the adult rate at 16%.

Having been less affected by the crisis than most other OECD countries, Australia is likely to experience a relatively more robust recovery. Growth is projected to pick up to 2.5% in 2010 and 3.5% in 2011, with unemployment peaking at around 6% this year. The government is already scaling back the federal budgetary stimulus so business profits will likely be hard fought for in the coming years.

Australia encourages and welcomes investment from overseas entrepreneurs through its business visa programme.

One specialist in this visa area is Australian immigration solicitor Mege Dalton, who set up her own business in Dublin in 2008 after working in an Australian immigration company in Brisbane and then in Dublin. Business Visas Australia focuses on the niche of business owner and investor visas to Australia, which normally require applicants to have a successful business or investment background and also have significant net asset levels.

So what are the Aussie visa requirements for Irish business people? We sat down recently with Dalton to find out:

BUSINESS PLUS: An Irish business person wants to emigrate to Australia and establish a business. What requirements do they need to satisfy to qualify for a visa?

MEGE DALTON: There are a range of business visas to suit people who are either business owners, investors, managers or senior executives. Applicants for these visas should have a successful business background and management record, have a minimum net asset level of AS\$250,000 to invest in an Australian business and have a genuine intention to establish a business or carry on investment activities in Australia.

Are there any business activities or sectors which get preferred treatment?

Most Australian states' governments and the Australian federal government favour business activities which create employment, introduce new technologies or improve exports and reduce imports to Australia. They do not favour particular industries but their main focus is on how the business activity that a business migrant is going to establish will benefit the Australian economy.

The Australian economy is going through a rough patch too



What do Irish people need visa-wise to travel down under and explore business opportunities?

Many Irish people who consider applying for an Australian business visa visit Australia before they start the process. Most times they have been there several times in the past on holidays when the idea of moving permanently begins forming in their minds. For any Irish person wanting to go out to Australia for a market research trip there is the Business (short stay) visa subclass 977. If you hold an Irish passport you can very easily obtain this visa online. It is valid for 12 months and will give you multiple entry to Australia. You will be allowed to stay for up to 90 days each time you visit. This visa is intended for market research, business negotiations and meetings so is suitable for anyone thinking of applying for an Australian business visa and wants to check out the particular locality of where they want to establish themselves.

An Irish person sees a business advertised for sale in Sydney that they would like to buy and then go down there and run it. What are the immigration rules they need to satisfy?

First of all you would need to already have been in business in Ireland. The Australian government's business visa programme is aimed at individuals who have a proven business background in their country of origin. The government wants some confidence that a new business migrant to their shores is going to have the skills and experience to make a success of their new Australian business or investment.

Australia Targets Skilled Professionals

The Australian government recently announced major changes to its skilled migration system. The last major overhaul was in September 2007, an initiative of then prime minister John Howard and the Liberal Party. Three months later, Kevin Rudd and the Labour Party were voted into office and since then has been a constant fine tuning of immigration policy.

Rudd's government plans to rid itself of aspects of the Howard immigration system which allows hairdressers and cooks to emigrate to Australia while many highly skilled people are deemed ineligible. According to visa specialist Mege Dalton: "The government views the current points test table as out of touch with Australia's need for highly skilled migrants. The most significant change will be introduction of a new skilled occupations list. The new list will favour managers, engineers, medical professionals and teachers."

Apart from a business background, business visa requirements can relate to your business turnover and your net asset level. One of the most popular business visa categories that Irish business migrants apply for is the state-sponsored Business Owner visa subclass 163. This visa is popular because it has the lowest financial threshold requirements of any of the other six business visa categories. The main requirements are that an applicant:

- is under 55 years of age
- has or owned a business that had turnover of at least AS\$300,000 (€190,000) for two out of the last four financial years and in those two years they managed the business on a daily basis
- has a successful business background.
- has a net asset level that is at least AS\$250,000 (€160,000) plus an additional amount for their settlement costs in Australia
- has not been engaged in a business where the provision of professional, technical or trade services took up more than 50% of your time
- has a genuine commitment to engage in business activities in Australia and has demonstrated that Australia will benefit economically from the proposed business or investment
- has obtained sponsorship approval from the relevant authority of the particular Australian state they wish to reside in. The top three destinations for Irish business migrants at the moment are Brisbane, Sydney and Perth.

If you are not a business owner but have been in senior management in a business for at least five years, the subclass 163 visa may still be an option for you. The 163 visa is the most popular choice of visa for potential business migrants around the world and it accounts for about 90% of Australian business visa applications made to the Department of Immigration and Citizenship.

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