



Skilled Work Regional (Provisional) visa (subclass 491) – pathway for small business owners

Would you like to enjoy the benefits of a great Queensland business career and lifestyle? Queensland nominates highly skilled business operators in regional Queensland through the **Skilled Work Regional (Provisional) visa (subclass 491)**. Choose Queensland as your first preference!

This visa pathway is for small business owners in regional Queensland, who are investing in the local business community and providing employment opportunities for local residents.

The Skilled Work Regional (Provisional) visa (subclass 491) is a points-tested provisional visa that has a pathway to permanent residency. It is a five year visa that allows holders to live, work and study in regional Australia, and to apply for permanent residency after three years.

The Small Business Owner (SBO) stream has two pathways available:

PATHWAY 1

To be eligible for this pathway, you must purchase an existing registered business outside of South East Queensland, for a minimum of \$100,000 and employ at least one Australian resident. You must operate the business for a minimum of six months prior to submitting an Expression of Interest (EOI).

PATHWAY 2

To be eligible for this pathway, you must have started your own new business and have continuously run that business for a minimum of two years. The business must be generating a profit and have a turnover of \$200,000 in the 12 months prior to submitting an Expression of Interest (EOI).

OBJECTIVES

The SBO program aims to:

- promote job creation for Australians and contribute to economic development in the regions
- encourage small business owners to stay in regional Queensland, reducing pressure on city infrastructure
- encourage migrants to integrate into local regional communities via their business.

ELIGIBLE POSTCODES

As part of your visa conditions, you and your dependants must live, work and study in a regional area.

Pathway 1 (Business purchase):

From 1 September 2024 purchased businesses must be located in one of the following eligible postcodes: 4370-4390, 4400-4428, 4454-4498, 4570-4571, 4580-4895.

Pathway 2 (Start-ups):

Eligible postcodes include: 4019-4022, 4025, 4037, 4074, 4076-4078, 4124-4125, 4133, 4183-4184, 4207-4275, 4280-4287, 4300-4301, 4303-4498, 4500-4512, 4514-4519, 4521, 4550-4575, 4580-4895.

Note: If nominated, MQ expects you to continuously operate this business or at least three years from time of the 491 visa grant.

BENEFITS OF SEEKING QUEENSLAND NOMINATION

- Queensland offers a high standard of living and good working conditions, including a high minimum wage
- There are visa pathways for Queensland graduates, skilled workers and small business owners.

Nomination by the state of Queensland will provide:

- an additional 15 points for a Skilled Work Regional (Provisional) visa (subclass 491) towards the Department of Home Affairs (HA) points test.
- Once your visa is granted, you'll be an independent migrant and not tied to a single employer.

ELIGIBILITY CRITERIA

You may be eligible to apply for the Skilled Work Regional (Provisional) visa (subclass 491) for small business owners if you operate a business in regional Queensland and your occupation is on the Department of Home Affairs Legislative Instrument ([LIN019/051](#)).

To be eligible for Queensland nomination, you must meet the Department of Home Affairs (HA) criteria and Migration Queensland (MQ) criteria for the Skilled Work Regional (Provisional) visa (subclass 491).

The Department of Home Affairs requires you to:

- have a points test result of 65 or higher inclusive of state nomination points
- have a positive skills assessment in your nominated occupation
- be under 45 years of age
- have at least Competent English.

Migration Queensland requires you to meet the following criteria:

Requirements for Pathway 1 and Pathway 2 applicants:	
Occupation	Have an occupation on the relevant Legislative Instrument (LIN19/051).
Living in regional Queensland	Must provide evidence that you are living in regional Queensland in your eligible postcode list (Pathway 1 or Pathway 2).
Location of business	You must own and operate a business in an eligible postcode (Pathway 1 or Pathway 2) in regional Queensland.
Operating the business full-time	Applicant must be working for the business full-time (minimum of 30 hours per week) for at least six months.
Ownership interest	Provide evidence that you hold 100% ownership of the business. 100% ownership must have been in place since the business was purchased or started.

Additional requirements for Pathway 1 (Business purchase)	
Time since purchase	Settlement of business purchase must have occurred less than 18 months prior to submitting an EOI*
Age of purchased business	The business purchased must have been operating for a minimum of two years in its current location, immediately prior to purchase.
Price of purchased business	Provide evidence that you have purchased a business for a minimum of \$100,000.
Operation of business	Provide evidence that you have been operating the business for a minimum of six months after settlement. NOTE: The six months of operation does not start until 100% of the purchase price is settled.
Australian employee/s	Provide evidence of employment of at least one Australian resident** working a minimum of 20 hours per week, or two employees working 10 hours per week. Employee/s cannot be a family member or a subcontractor.

Additional requirements for Pathway 2 (Start-ups)	
Operation of business and turnover	Provide evidence that you have been operating a profitable business, which you have created, for a minimum of two years, with a turnover of \$200,000 in the twelve months prior to application.

NOTE: Home-based businesses and/or virtual offices are not eligible for the 491 SBO pathway.

* Businesses settled more than 18 months ago have until 31 December 2025 to apply for the 491 SBO pathway.

** An Australian resident for the purposes of the 491 SBO pathway is an Australian citizen, an Australian permanent resident or a New Zealand citizen usually residing in Australia on a Special Category visa (subclass 444).



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	Pathway 1 – Business purchase	Pathway 2 – Start-ups
491 Small Business Owner application form	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Passport bio page	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
VEVO statement	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Skills assessment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence of business ownership	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence of business address	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence of residential address	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Contract of business purchase	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Settlement statement (of business purchase)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evidence you have been operating the business since ownership	<input checked="" type="checkbox"/> For six months	<input checked="" type="checkbox"/> For two years
Evidence of business age	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bank statements for business	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Audited Profit and loss statement	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence of Australian employee/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evidence you are working full-time in the business	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Note: MQ will only accept current form versions. The application form is available in the document portal. These are the minimum requirements for documents to support a state nomination application. MQ has discretion to request further information or supporting documents if required.

DOCUMENT CHECKLIST EXPLANATORY NOTES

Passport bio page – good quality colour scan of bio-page of your valid passport.

VEVO statement – Visa Entitlement Verification Online allows a visa holder to check their visa conditions and validity. Please provide a copy of your recent VEVO statement.

491 Small Business Owner application form – required for all 491 SBO applicants. This form is only available when you receive an invitation from Migration Queensland.

Skills assessment – a valid skills assessment in the applicant's nominated occupation.

Evidence of business address – please provide a copy of your current commercial rental lease agreement.

Evidence of residential address – please provide a copy of your current rental lease, or a recent (issued within last three months) utility bill with your name on it. If this cannot be provided, please provide a statutory declaration declaring your current residential address.

Contract of business purchase – all business registration details and documents of sale must be in the name of the primary applicant (MQ will accept joint ownership with a spouse or de facto partner). The business purchase price cannot include assets purchased after settlement.

Bank statements for business – provide business bank statements for the last three months. Please highlight staff wages and any business-related transactions including revenue.

Evidence of business ownership – provide a recent Company Extract from Australian Securities and Investments Commission (ASIC) that shows you own 100% of the business (MQ will accept joint ownership with a spouse or de facto partner). Also provide your Australian Business Number (ABN) or Australian Company Number (ACN).

Evidence you have been operating the business since ownership

- **For business purchase – six months:** provide two quarterly BAS statements from the Australian Taxation Office (ATO) as evidence that the business has been trading for a minimum of six months after settlement. You must have operated your business for the full duration of the two quarters.
- **For start-ups – two years:** provide eight quarterly BAS statements from the ATO as evidence that the start-up has been operating for two years.

Evidence of business age – evidence that the business was operating for at least two years in its current location immediately before purchase. Provide eight quarterly BAS statements or two years of audited financial records. Applicants should include this requirement for 8 BAS statements from the seller in their contract of business purchase.

Evidence you have been working for the business full-time since ownership – provide a statutory declaration that declares you have been working for the business full-time (minimum of 30 hours per week) since ownership.

Audited Profit and loss statement – must be produced by a registered accountant.

- **For business purchase:** this statement must cover the six months (minimum) immediately before submitting your EOI.
- **For start-ups:** this statement must show that the business is generating a profit and had a turnover of \$200,000 in the 12 months prior to submitting your EOI.

Evidence of Australian employee/s – provide evidence of employment of at least one Australian resident working a minimum of 20 hours a week (or two employees working a minimum of 10 hours each) at time of invitation. This cannot be a family member or a subcontractor. Acceptable evidence of residency includes copy of Australian passport, citizenship certificate or VEVO statement. Also provide two recent payslips that indicate the hours worked by these employees.

Settlement statement – this document must show the date and location of final settlement, list the names of buyer and seller, and show the breakdown of settlement amounts and their distribution.

IMPORTANT NOTES FOR THE 491 SBO PATHWAY

To be considered for Queensland nomination:

- No vendor financing.
- No share transfer (must have a contract of business sale).
- Cannot purchase business from a family member (relative). Note: a relative consists of your partner, child, parent, brother, sister, stepchild, step-parent, stepbrother or stepsister, grandparent, grandchild, aunt, uncle, niece, nephew or cousin.
- Cannot relocate or sell a business before receiving approval from MQ (prior to visa grant).
- Cannot purchase a business previously used as part of a visa application for migration purposes (ie 491, 188, 888 or 405 visa application).
- Applicants must operate their business for at least three years in a regional Queensland area (may be subject to monitoring) after the granting of the visa.

BUSINESSES NOT ACCEPTED

- multiple businesses operating under the one ABN with combined financials/BAS. These businesses do not meet the requirements for this pathway.
- passive investments ie management rights.
- Home-based businesses (including those with virtual offices).
- commission agents or leasing agents of franchises (such as petrol stations).
- Daigou businesses.

FRANCHISES

If you are considering purchasing a franchise business, you must have the approval of the Master Franchise (franchisor) prior to purchasing.

Have all documents prior to submitting an EOI.

Step 1: Review your eligibility criteria and visa conditions:

- on the HA website:
<https://immi.homeaffairs.gov.au/>
- and on the MQ website
<https://www.migration.qld.gov.au>

Ensure that you meet both HA criteria and MQ state nomination requirements.

Please ensure all information, such as work experience, is included in your EOI. Do not declare operating your business is relevant to your nominated occupation unless they are closely related.

Choose Queensland as your preferred nominating state.

Step 2: Submit an Expression of Interest (EOI) through the HA SkillSelect website
<https://immi.homeaffairs.gov.au/visas/working-in-australia/skillselect>

Step 3: Submit the online **Registration of Interest for 491 Small Business Owners**.

Step 4: MQ will review your EOI. If invited, you will receive an email – ‘**Queensland Nomination – Invitation to lodge an application**’.

Documents are to be uploaded electronically through the document portal link provided in your invitation email. If there are multiple documents, you will need to have them scanned altogether as one multiple page document to upload one file per criteria.

Step 5: When you have received your invitation from MQ:

- upload the required documents, and
- [pay the non-refundable application fee](#) to finalise your application.

Visit www.migration.qld.gov.au/fees for detailed information on fees.

Do not pay the fee until you have been invited to apply and all your documents have been uploaded.

You will have 14 days to finalise your application from the date of invitation. Applications not finalised within this timeframe will be closed and you will not be considered for invitation again this financial year. An applicant will have to wait until the following financial year before submitting a new EOI. MQ will then review your application and may request any further information.

Step 6: If your completed MQ application is nominated, you will receive an invitation from HA to lodge your visa application.

You will be given 60 days to lodge your visa application with HA. **Applicants who do not lodge their visa application with HA will not be nominated by Queensland again this program year.**



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491 SBO CASE STUDIES

Below are a few examples of small business scenarios to help you compare your circumstances.



Case Study: eCommerce

Question: Parvinder would like to establish a home based eCommerce business where he will ship goods to his customers from his garage. Would this meet 491 SBO requirements?

Answer:

- No, it would not.** Home based businesses are not eligible for the 491 SBO pathway.
- If Parvinder starts a retail store which includes eCommerce services that would meet the program requirements.



Case Study: Beauty and nail salon

Question: Natalia would like to purchase a beauty and nail salon in Townsville for \$105,000 and has 4 part time staff. Will this meet 491 SBO requirements?

Answer:

- Yes.** This would be acceptable as it is located in a regional area and employs 4 Australian staff.
- Note: Businesses purchased after 1 September 2024 must be outside of South East Queensland. See eligible postcodes on page 1.



Case Study: Pizza restaurant franchise

Question: Manpreet would like to purchase a pizza restaurant franchise that has one ABN for multiple locations. Would this meet 491 SBO requirements.

Answer:

- No, it would not.** This type of model does not allow for separate BAS statements for an individual location, to show the business has been operating for a minimum of 2 years prior to purchasing.
- If purchasing a franchise business you must have approval from the Master Franchisor.



Case Study: Interior design start-up business

Question: Laura would like to open a new business in Ipswich creating living plant walls. Would this meet 491 SBO requirements?

Answer:

- Yes it will.** This would meet pathway 2 requirements. Laura will have to operate the business for a minimum of 2 years, have a profitable business and have a turnover of \$200,000 or more.
- Note: start-up businesses are still accepted in any regional Queensland postcode.

DISCLAIMER NOTICE TO APPLICANTS

Nomination and approval

Applying for nomination correctly does not guarantee you will receive Queensland nomination or be granted an Australian visa. Nomination is granted at the discretion of the state of Queensland. It is recommended you seek professional legal and financial advice before making an investment. The final decision and timeframe on granting a visa is made by HA. The state of Queensland takes no responsibility in the event that your visa application is not approved by HA.

Administrative Review Tribunal (ART)

Please note that MQ will not, under any circumstances, appeal to the Administrative Review Tribunal (ART) (formerly Administrative Appeals Tribunal) against decisions by HA to decline granting a visa to any skilled or business migration applicants nominated by Queensland.

After moving to Queensland

It is a requirement of nomination by the state of Queensland that the applicant supplies their visa grant date, residential address and contact details to MQ once the visa is granted. You are also required to advise us when your circumstances change, including a change of employment or a change of address.

Eligibility for Permanent Residence (Skilled Regional) visa (subclass 191)

To be eligible for the subclass 191 visa applicants must:

- Provide notices of assessment issued by the Australian Taxation Office (ATO) for three income years out of five years of your eligible visa, and
- have complied with the conditions of the regional provisional visa; including that the holder and any dependants must live, work and study in a designated regional area of Australia.

Please refer to HA website for additional eligibility criteria. It is the duty of the visa holder to understand the criteria they need to meet on a subclass 491 to be eligible to apply for subclass 191 after the required time frame. MQ takes no responsibility if an applicant does not meet subclass 191 visa requirements.

Connect. Be connected.

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