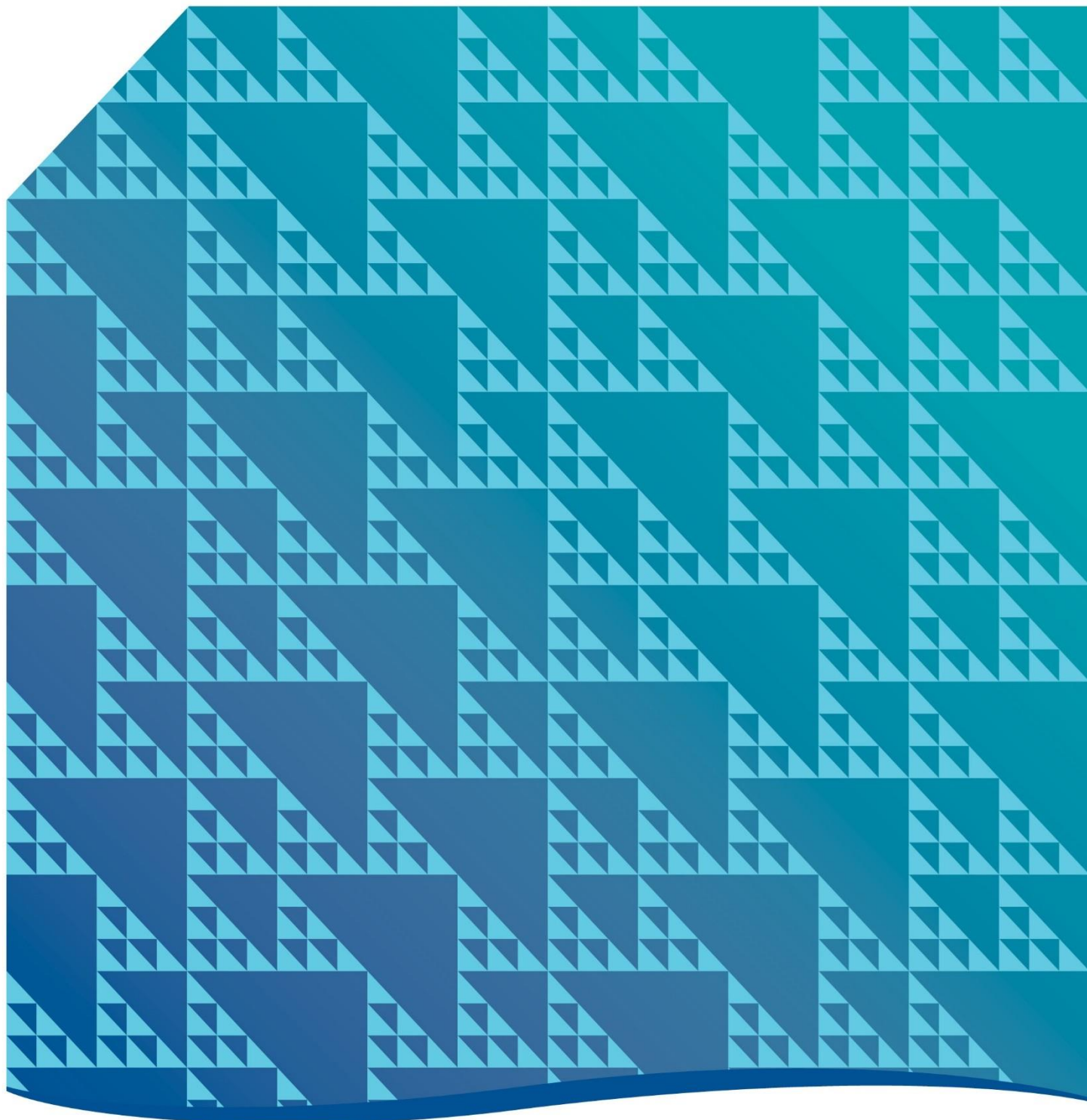


# Program Guidelines



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# Small Business Emergency Response Grant Program

## 1. Aim

The objective of this assistance measure, jointly funded by the Australian and Tasmanian Governments under the Disaster Recovery Funding Arrangements, is to assist with the costs of clean-up and reinstatement of small businesses that have suffered direct damage as a direct result of the severe weather event on 13 and 14 October 2022.

The severe weather event significantly impacted parts of 17 municipalities across Northern Tasmania, primarily: Break O'Day, Burnie, Central Coast, Central Highlands, Circular Head, Devonport, Dorset, Flinders, George Town, Kentish, Latrobe, Launceston, Meander Valley, Northern Midlands, Waratah-Wynyard, West Coast and West Tamar.

Small businesses play an integral part in local economies and communities, and this assistance must contribute towards minimising disruption in the affected area and assisting the community to recover. This grant is intended to assist small businesses to continue or commence operations as soon as possible where the impact has been severe.

## 2. Available Funding

The maximum grant amount available is \$25 000.

2.1 Tier One - An initial one-off amount of \$2 500 is available.

To support an initial claim, applicants will be required to describe and provide evidence of direct damage from the severe weather event on their business and demonstrate with evidence they were actively trading immediately prior to 13 October 2022.

2.2 Tier Two - A subsequent one-off amount of up to \$22 500 is available.

To support subsequent claims full evidence of payment is required. This evidence of payment must also include any amounts claimed under the initial (Tier One) claim.

### Notes

Where an applicant is approved for funding of \$2 500 (Tier One) and does not seek further payment under Tier Two, the Department of State Growth may request the applicant provide evidence of expenditure within 12 months of receiving the Tier One grant for reconciliation, acquittal and transparency purposes.

Applicants can only submit one application for each Tier. If the applicant does not apply for the full amount available for Tier Two, there is no opportunity to apply for further expense claims.

## 3. How funding may be used

3.1 Grants are provided to help pay for the costs of the clean-up and reinstatement of the small business.

This includes:

- a. engaging a tradesperson to conduct a safety inspection of damage to a property, premises or equipment;
- b. hiring and/or leasing equipment or purchasing materials to clean a property, premises or equipment;
- c. paying additional wages to an existing employee, or employing a person to clean a property, premises or equipment if –

- the cost would not ordinarily have been incurred in the absence of the severe weather event; or
  - the cost exceeds the cost of employing a person to clean the property, premises or equipment that would ordinarily have been incurred in the absence of the severe weather event;
- d. removing and disposing of debris, damaged goods or material;
  - e. removing and disposing of spoiled goods and stock due to power outage;
  - f. essential repairs to premises and internal fittings (for example, floor covering, electrical requiring, shelving), if the repair is essential for resuming operation of the small business. If the repair or replacement is for small businesses that are home based, applicants are only permitted to claim the costs for damage to the premises which is directly attributable to the business, not other household damage;
  - g. purchasing, hiring or leasing equipment or materials that are essential for immediately resuming operation of the small business and;
  - h. any of the following –
    - replacing lost or damaged stock if the replacement is essential for immediately resuming operation of the small business;
    - leasing temporary premises in the same impacted municipality for the purpose of resuming operation of the small business.

3.2 Grants cannot be provided to help pay for costs associated with the following:

- a. for loss of income as a result of the severe weather event;
- b. for payment of employee salaries that would have ordinarily been incurred by the small business had the severe weather event not occurred;
- c. if the applicant has received, or has been approved to receive financial assistance from another government assistance scheme for an item described in section 3.1, the applicant cannot receive reimbursement under Small Business Emergency Response Grant for the same item(s);
- d. any works, projects, initiative or purchased equipment prior to 13 October 2022.

**For Tier two grants only**

- e. if the applicant is entitled to, has received, or has been approved to receive, an amount under a policy of insurance for the relevant costs claimed. The applicant may be eligible for a grant for the portion of costs that are not covered by their insurance, or for amounts in excess of the value insured.

## 4. Eligible applicants

To be eligible for a grant an applicant must meet all the eligibility criteria outlined below.

For any queries about the eligibility criteria, contact Business Tasmania by emailing [ask@business.tas.gov.au](mailto:ask@business.tas.gov.au) or phoning 1800 440 026 before the program closes.

4.1 To be eligible for both Tier One and Tier Two of Small Business Emergency Response Grant the applicant must:

- a. be a sole operator or a small business employing fewer than 20 full-time equivalent employees (FTEs)  
(A full time employee (FTE) is one or more paid employees who work 38 hours each week, for example if one employee works 18 hours per week and another employee works 20 hours per week the total FTE = 1, note this can also include the employment of casuals);
- b. hold an Australian Business Number (ABN) and have held that ABN at the time of the severe weather event on 13 and 14 October 2022;

Applicants who operate more than one business under a single ABN, may apply for assistance under separate applications, however the applications cannot include the same claims.

- c. own a small business located in one of the following municipalities or operates part time in one of the following municipalities and have been actively operating immediately prior to the severe weather event that began on 13 October 2022:

Break O'Day	Devonport	Latrobe	West Coast
Burnie	Dorset	Launceston	West Tamar
Central Coast	Flinders	Meander Valley	
Central Highlands	George Town	Northern Midlands	
Circular Head	Kentish	Waratah-Wynyard	

- d. have suffered direct damage to premises and/or tools of trade (e.g. equipment, plant);
- e. be intending to re-establish at the same location in the same municipality;
- f. for costs relating to activities listed in section 3, provide satisfactory evidence of the loss or damage;
- g. be primarily responsible for meeting the costs claimed in the application;
- h. a small business that is located outside one of the 17 impacted municipalities but operates part-time or on some regular basis within one of the impacted municipalities and the business' property, plant and/or equipment were damaged.
- 4.2 In the instance of a sole operator who has no employees (ie has no paid employees), the sole operator must derive at least 50 per cent of their income from the business.
- 4.3 Where less than 50 per cent of a sole operator's income comes from the small business, they maybe eligible if:
- their businesses is in start-up mode with the intention of being the applicant's primary source of income (at least 50 per cent) in a relatively short period of time, immediately prior to the severe weather event (e.g. premises being prepared but trading had not yet commenced); or
  - businesses that had been an applicant's primary source of income and would have become so again in a relatively short period of time had the severe weather event not occurred; or
  - they have made substantial capital investment (for example, salary/wages from employment or monies from elsewhere) into building up a business such that it was close to becoming a viable commercial operation immediately prior to the severe weather event; or
  - they are operating more than two separate and distinct business entities (for example, three businesses each providing 33 per cent of a sole operator's income).

**To be eligible for Tier two, applicants must also meet the following eligibility**

- 4.4 Been assessed as eligible for Tier one.

Note: Applications for Tier Two will only be considered where insurance does not adequately cover costs.

## 5. Ineligible applicants

- 5.1 Businesses that are not located within the identified municipalities unless they can demonstrate they operate on a part-time or on some regular basis within one of the impacted municipalities and the businesses property, plant and/or equipment were damaged.
- 5.2 Businesses with 20 or more full time employees (FTEs).
- 5.3 Businesses that were not open for business immediately prior to 13 October 2022.
- 5.4 Not-for-profit organisations, incorporated associations, or charities unless the organisation is operating as a business employing paid staff and/or selling goods and services that make up more than 30 per cent of their income.

- 5.5 Any public company under the meaning as defined in the Corporations Act 2001.
- 5.6 Any business that is trading insolvent, under external administration or bankruptcy.
- 5.7 Investment entities including unit trusts that solely generate passive turnover from residential and commercial property investment rentals.
- 5.8 Any government body, government agency or government business enterprise.
- 5.9 Third party submissions unless the applicant has provided the third party with written permission to do so on their behalf, and this permission is submitted as evidence with the application.
- 5.10 Any business that submits an application without the required supporting evidence.
- 5.11 Applicants are not eligible to apply for both a Primary Producer Emergency Response Grant as well as a Small Business Emergency Response Grant.

## 6. Supporting documentation

When completing the application form, applicants are required to provide the following:

Note: As part of an audit process, applicants may be asked to supply supporting documentation to demonstrate their eligibility claims.

### For Tier One Grants

- 6.1 Evidence to confirm the business was operating immediately prior to 13 October 2022.

For example, any of the following clearly showing the business address and the period of at least 13 September 2022 to 12 October 2022:

- A business bank account statement highlighting business transactions
- A current business lease agreement
- Evidence of recent online business activity (e.g. promotion on Facebook showing dates)
- Evidence of recent sales of goods and/or services to customers
- A recent utility account (e.g. Aurora Energy) covering at least up until 30 September 2022
- Any other relevant evidence that demonstrates the business is currently operating immediately prior to 13 October 2022 in Tasmania.

- 6.2 Businesses that operate in the transport sector, such as truck drivers, taxi, ride share businesses, uber drivers, or food delivery businesses, must provide a copy of their current valid Tasmanian driver's license.

- 6.3 Evidence to demonstrate your business was directly impacted by the severe weather event that started on 13 October 2022.

Any of the following are acceptable forms of evidence:

- Photographic evidence date stamped and clearly showing damage to your business
- Information that demonstrates the financial impact, such as:
  - Quotations to repair/restore your business
  - Damage assessments
  - Invoices or receipts

*This evidence must include the business name, address, date and ABN of the entity that has issued the quote, assessment, invoice or receipt with information clearly identifying the work required.*
- Evidence to demonstrate your utilities (electricity, gas) were cut to your business
- Evidence to demonstrate you were not able to access your business
- Any other relevant evidence that demonstrates the business was directly impacted.

- 6.4 For businesses not located within one of the 17 impacted municipalities but they operate on a part-time or on some regular basis within one of the impacted municipalities and the businesses property, plant and/or equipment were damaged.

Provide Evidence to demonstrate how frequently your business operates an impacted municipality.

## For Tier Two Grants

6.5 Evidence to demonstrate how you restored your business after being directly impacted by the severe weather event that started on 13 October 2022.

Note: Evidence must be for full payments (invoices) already made, including evidence of the initial Tier One grant.

Evidence must be related to one or more of the eligible items listed in Section 3 only.

The following are acceptable forms of evidence:

- Tax invoice(s) showing full details of the goods or services provided

*The goods and services described on each invoice must be clearly identifiable as having been paid and be related to damage from the severe weather event*

- Evidence of payment of invoices from the suppliers or contractors.

*A copy must be provided of the businesses bank transfer(s) and/or bank statement(s) with any relevant official receipt(s) from suppliers or contractors.*

6.6 For small businesses with no paid employees (sole operators), either of the following:

a. Evidence to demonstrate you derived at least 50 per cent of your income from your business in 2020-21 or 2021-22.

OR

b. If you derive less than 50 per cent of your income from your small business, evidence to demonstrate:

- your business was in start-up mode with the intention of being your primary source of income (at least 50 per cent) in a relatively short period of time, immediately prior to the severe weather event (e.g. premises being prepared but trading had not yet commenced);
- your businesses had been your primary source of income and would have become again in a relatively short period of time had the severe weather event not occurred;
- you had made substantial capital investment (for example, salary/wages from employment or monies from elsewhere) into building up your business such that it was close to becoming a viable commercial operation immediately prior to the severe weather event; and
- you are operating more than two separate and distinct business entities (for example, three businesses each providing 33 per cent of your income).

For example, any of the following are acceptable forms of evidence:

- Forward turnover projections for 2022-23 financial year,
- Profit and Loss statement produced by an accountant, accounting software (such as Xero or MYOB),
- Business tax returns lodged with the ATO,
- Business Activity Statements (BAS) lodged with the ATO for the whole year, please include all pages.

The following are not acceptable forms of evidence:

- Notice of Assessment received from the ATO
- Bank statements

6.7 Evidence to demonstrate your business was not entitled to or has been approved to receive an amount under a policy of insurance for the relevant costs claimed. Noting, the applicant may be eligible for a grant for the portion of costs that are not covered by their insurance, or for amounts in excess of the value insured.

For example, any of the following are acceptable forms of evidence:

- Copy of relevant section of Insurance Product Disclosure Statement
- Letter of advice from insurance company detailing what is not covered by the policy

- Signed Statutory Declaration declaring the insurance cover is insufficient

*Note: The Department of State Growth may undertake site visits, interview applicants and verify information with other government departments or relevant authorities as part of the assessment process.*

## 7. Timeframes

To ensure everyone has an equal opportunity to apply for a grant, no late applications will be accepted after the closing date and time.

For any extenuating circumstances that may prevent applicants meeting the deadline, applicants must contact Business Tasmania before the grant program closes to discuss further.

Applicants are advised to submit applications well before the closing date and time. This will allow time for applicants and assessors to raise any concerns with an application.

Description	Time/date
Program opens	11:00am, 31 October 2022
Tier One closes	2:00pm, 31 January 2023
Tier Two closes	2:00pm, 27 April 2023
Applications assessed for eligibility	In order of receipt of application
Applicants notified	In order of assessment

## 8. Application process

In the first instance, applicants will apply for Tier One.

Applicants should complete and lodge an application online via SmartyGrants from the Business Tasmania website [www.business.tas.gov.au](http://www.business.tas.gov.au)

SmartyGrants is an online grants management system which is easy to use and accessible via mobile phones, tablets, laptops, and personal computers.

Applicants should read the guidelines and the frequently asked questions documents carefully before starting an application. The application form is designed to help structure applicant responses to the eligibility criteria.

Applicants should ensure that all supporting documentation provided is accurate and is attached correctly before submitting.

Following the submission of the application via SmartyGrants, applicants will receive an automatic receipt of their application. This receipt will include details of the application and a unique application ID.

Applicants assessed as eligible for a Tier One grant will be notified via email. The email will contain a link to the Tier Two application.

Applicants without internet access should contact Business Tasmanian on 1800 440 026 to discuss alternative methods for applying prior to the program closing.



**Late submissions will not be accepted.**

### **What does a successful application look like?**

A successful application:

- Is submitted before the closing date and time.
- Meets all eligibility criteria.
- Demonstrates a good understanding of the purpose of the grant program.
- Provides clear and well-structured answers to all questions.
- Contains, where requested, quality documented evidence to support all claims made within the application.

## **9. Appealing a decision**

The appeals process is designed to ensure that all applicants have been treated fairly and consistently in applying for Department of State Growth grants. The Department will consider appeals relating to administrative process issues in grants management.

All requests must be in writing and should be addressed to the Director or Manager of the business unit where the application was assessed.

Your request must be received within 28 days from the date of the Department of State Growth notifying you of the decision about your application. For further information about the process, contact Business Tasmania, Ph 1800 440 026 or email: [ask@business.tas.gov.au](mailto:ask@business.tas.gov.au)

## **10. Acquittal**

### **What is an acquittal?**

An acquittal is a statement that is requested from successful grant recipients, confirming that the grant funding provided was used as it was intended and as per the statements made on the application form and funding agreement.

Where an applicant is approved for funding of \$2 500 (Tier One) and does not seek further payment under Tier Two, the Department of State Growth may request the applicant provide evidence of expenditure within 12 months of receiving the Tier One grant for reconciliation, acquittal and transparency purposes.

In applying for a Tier Two Grant, you are required to provide evidence of the cost of clean-up and reinstatement of your small business (ie. paid invoices). This evidence along with the invoice to the Department constitutes acquittal of the grant.

## **11. Taxation and financial implications**

The receipt of funding from this program may be treated as income by the Australian Taxation Office (ATO). While grants are typically treated as assessable income for taxation purposes, how they are treated will depend on the recipient's particular circumstances.

Applicants may wish to seek independent advice about the possible tax implications for receiving the grant under the program from a tax advisor, financial advisor and/or the ATO, prior to submitting an application.

### **For Tier One grants:**

GST does not apply to grants issued under this program.

### **For Tier Two grants:**

GST will apply to grants issued under this program. Applicants are required to supply an invoice to the Department of State Growth with the application (note: this must be a tax invoice if the applicant business is registered for GST).

## **12. Grant payments**

Applicants will be asked for bank account details at the time of applying so that grant payments can be processed once approved. This bank account must be in the same name as the person, business or organisation that applied for the grant. You may be asked to provide a copy of your bank statement or a letter from their bank to confirm your bank account details.

Providing incorrect bank account details may result in funds being paid to an incorrect account. These funds will need to be returned to us before we attempt another grant payment. This process may result in significant delays in funding being received. Additionally, we cannot guarantee that funds paid to an incorrect bank account will be returned to us.

If a grant recipient:

- does not complete the activities or tasks required under the funding agreement,
- does not use any or all of the funding provided,

the recipient will be required to return some or all of the funds to the department.

Similarly, if

- the information provided to us is found to be false or misleading, or
- the recipient's situation changes in a way that prevents completion of the agreed project

the recipient will be required to return some or all of the funds to the department.

## **13. Administration and contact details**

The program will be administered by the Department on behalf of the Crown in the Right of Tasmania.

Contact with the Department for any of the following reasons can be directed to Business Tasmania at [ask@business.tas.gov.au](mailto:ask@business.tas.gov.au) or on 1800 440 026:

- Further information or advice on the program.
- Assistance in making an application.
- Further feedback on the decision of an application.
- Request a review of the decision.

### **Note**

All applicants must take care to provide true and accurate information. Any information that is found to be false or misleading may result in action being taken and grant funds, if already provided, will be required to be repaid to the Department.

## **14. Publicity of grant assistance**

The Department of State Growth disburses public funds and is therefore accountable for the distribution of those funds. As part of the accountability process, the department and the Australian Government may publicise the level of financial assistance, the identity of the recipient, the purpose of the financial assistance, and any other details considered by the department to be appropriate.

## 15. Right to information

Information provided to the Department of State Growth may be subject to disclosure in accordance with the *Right to Information Act 2009*.

## 16. Confidentiality

The Tasmanian Government may use and disclose the information provided by applicants for the purposes of discharging its respective functions under the Program Guidelines and otherwise for the purposes of the program and related uses.

The department may also:

1. Use information received in applications for any other departmental business.
2. Use information received in applications and during the delivery of the project for reporting purposes.

## 17. Personal information protection

Personal information will be managed in accordance with the *Personal Information Protection Act 2004*.

This information may be accessed by the individual to whom it related, on request to the Department of State Growth. A fee for this service may be charged.

## 18. Disclosure

The following applies to all successful applicants:

- Despite any confidentiality or intellectual property right subsisting in the grant funding agreement or deed, a party may publish all or any part of the grant funding agreement or deed without reference to another party.
- Please note that all obligations under the *Personal Information Protection Act 2004 (Tas)* and the *Privacy Act 1988 (Cwlth)* still apply.

## 19. Disclaimer

Although care has been taken in the preparation of this document, no warranty, express or implied, is given by the Crown in Right of Tasmania, as to the accuracy or completeness of the information it contains.

The Crown in Right of Tasmania accepts no responsibility for any loss or damage that may arise from anything contained in or omitted from or that may arise from the use of this document, and any person relying on this document and the information it contains does so at their own risk absolutely.

The Crown in Right of Tasmania does not accept liability or responsibility for any loss incurred by an applicant that are in any way related to the program.



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