

# GUIDELINES

## Business Support Fund 3

### Coronavirus (COVID-19) assistance to businesses

#### Program Summary

On 13 September 2020, the Victorian Government announced a new support package to help businesses survive the impacts of continued coronavirus (COVID-19) shutdown restrictions and to keep Victorians in jobs. This announcement includes \$822 million for *Business Support Fund 3*, the third round of the Business Support Fund program.

Through *Business Support Fund 3*, around 75,000 businesses in specific industry sectors with payrolls of up to \$10 million will receive grants of \$10,000, \$15,000 or \$20,000 (with the grant amount determined by the business' payroll size).

*Business Support Fund 3* specifically targets businesses in industry sectors that have been Restricted, Heavily restricted or Closed as a result of continued restrictions outlined in [Victoria's roadmap for reopening](#).

#### 1 Standard Eligibility Criteria

1.1 To be eligible for the Fund, businesses must:

- a) Operate a business located within Victoria<sup>1</sup>; and
- b) Be registered as operating in an industry sector that has an industry restriction level of Restricted, Heavily restricted or Closed and is not easing industry restriction levels between the First Step and Second Step of *Victoria's roadmap for reopening*<sup>2</sup> (a business's industry sector is defined by the industry classification (ANZSIC) linked to their ABN<sup>3</sup>); and
- c) Be a participant in the Commonwealth Government's JobKeeper Payment scheme<sup>4</sup>; and
- d) Be an employing business<sup>5</sup> and be registered with WorkSafe Victoria<sup>6</sup>; and

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<sup>1</sup> Business location is determined using workplace addresses registered with WorkSafe Victoria.

<sup>2</sup> *Victoria's roadmap for reopening – How we work in Metropolitan Melbourne* (the Metro Roadmap) as announced on 6 September 2020. As Regional Victoria's roadmap for reopening begins at the Second Step, the easing criteria does not apply. Businesses in regional Victoria only need to be registered as operating in an industry sector that has an industry restriction level of Restricted, Heavily restricted or Closed as per the Metro Roadmap.

<sup>3</sup> Your industry Australian Business Number (ABN) Registration includes your self-nominated ANZSIC industry classification and this will be used to determine your eligibility for this criterion. Applicants are encouraged to check that these details are up to date and reflect their current business activity prior to submitting their application. For information on how to update your ABN, go to the [Australian Business Register website](#).

<sup>4</sup> Further information on the JobKeeper Payment scheme is available from the [Australian Tax Office](#).

<sup>5</sup> Employing businesses are defined as those businesses required to be registered for WorkCover insurance or equivalent – see also footnote 1 above. Sole traders, individuals in partnerships and individual trustees of trusts must employ persons other than themselves to be eligible.

<sup>6</sup> Businesses operating within Victoria that hold an equivalent worker's compensation policy in another Australian jurisdiction in accordance with Victorian WorkCover legislation are eligible. Evidence of the valid interstate insurance policy and operation located within Victoria is required.

- e) Have an annual payroll of up to \$10 million in 2019-20 on an ungrouped basis<sup>7</sup>; and
- f) Be registered for Goods and Services Tax (GST) on 13 September 2020<sup>8</sup>; and
- g) Hold an Australian Business Number (ABN) and have held that ABN at 13 September 2020; and
- h) Be registered with the responsible Federal or State regulator.<sup>9</sup>

## 2 Demonstration of eligibility

- 2.1 Applicants must certify that they meet the eligibility criteria and intend to remain trading at the end of restrictions.
- 2.2 **Industry sector:** To be eligible, an Applicant's primary business activity must be in an eligible industry sector or sub sector and this must be reflected in the applicant's Australian Business Number (ABN) registration information. Applicants should review their details at [Australian Business Register website](#) and update these details if needed prior to submitting an application. This includes ensuring that their industry classification (ANZSIC class code) linked to their ABN registration correctly captures their primary business type.
- 2.3 **JobKeeper ID:** Applicants must provide evidence of participation in the Commonwealth Government's JobKeeper Payment scheme in the form of either a JobKeeper Business Monthly Declaration Receipt ID number or JobKeeper Enrolment Receipt ID generated from the ATO business portal.
- 2.4 **WorkSafe Number:** Applicants must demonstrate they are located in Victoria and employ people by providing their WorkCover Employer Number or WorkSafe Application Reference Number.<sup>10</sup>

## 3 Available funding

- 3.1 The total grant will be: \$10,000, \$15,000 or \$20,000 depending on the size of the business' payroll for 2019/20:
  - \$10,000 if its annual payroll is less than \$650,000;
  - \$15,000 if its annual payroll is between \$650,000 and less than \$3 million; or
  - \$20,000 if its annual payroll is between \$3 million and up to \$10 million.

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<sup>7</sup> Where a business is in a payroll group, the payroll eligibility criteria applies to each business in the payroll group. That is, any member of a group with an annual payroll of up to \$10 million in 2019-20 can apply.

<sup>8</sup> Non-for-profit entities with annual 2019/20 turnover between \$75,000 and \$150,000 that are not registered for GST and are registered with the Australian Charities and Not-for-Profit Commission are eligible to apply. Businesses with annual 2019-2020 turnover of \$75,000 or more that are not required by relevant taxation legislation to be registered for GST are eligible to apply.

<sup>9</sup> Where required by relevant and applicable legislation. Responsible regulators are the Australian Securities and Investment Commission (ASIC); the ACNC for charities and not-for-profits; and Consumer Affairs Victoria (CAV) for incorporated associations.

<sup>10</sup> Applicants that operate a business in Victoria but hold an equivalent interstate worker's compensation policy – see footnote 6 above - must provide documented evidence of a current valid interstate insurance policy.

3.2 A business as defined by its ABN can only receive one grant under Business Support Fund 3.

#### 4 How the funding may be used

4.1 Grant funds may be used to assist the business, for example on:

- Meeting business costs, including utilities, salaries or rent;
- Seeking financial, legal or other advice to support business continuity planning;
- Developing the business through marketing and communications activities; or
- Any other supporting activities related to the operation of the business.

#### 5 Assessment Process

5.1 Funding will be allocated through a grant process, through which businesses are invited to apply for a grant.

5.2 As part of the assessment process, evidence provided by applicants will be subject to a crosscheck with other government agencies such as the State Revenue Office and Worksafe.

5.3 Any of the following circumstances may be taken into consideration in any decision whether to award a grant:

- Any adverse findings by a regulator regarding a business;
- A business is placed under external administration;
- There is a petition to wind up or deregister a company or business; and
- The business is or becomes deregistered or unregistered (including cancellation or lapse in registration).

5.4 Businesses that have received assistance through the initial Business Support Fund, the Business Support Fund expansion, payroll tax rebate/waiver, or other coronavirus (COVID-19) programs can apply for assistance under *Business Support Fund 3*.

5.5 Businesses are not eligible for funding through this program where they have received funding under the Licensed Hospitality Venue Fund.

5.6 Each application will be carefully considered and assessed against the eligibility criteria. If an unsuccessful applicant considers that their application has been incorrectly assessed, they will have the opportunity to lodge a complaint with Business Victoria. If after that consideration an applicant still believes their application has been incorrectly assessed, there will be an opportunity for arms-length review of their application.

#### 6 Compliance and Audit

6.1 Applicants are subject to a risk assessment which verifies business details provided with the Australian Business Register, Australian Securities and Investment

Commission, Australian Charities and Not-for-profits Commissioner, Consumer Affairs Victoria and/or other applicable regulator.

- 6.2 Applicants will be subject to audit by the Victorian Government or its representatives and will be required to produce evidence (such as payroll reports to demonstrate impact) at the request of the Victorian Government for a period of four years after the grant has been approved.
- 6.3 If any information in the application is found to be false or misleading, or grants are not applied for the purposes of the business in accordance with the terms of funding as set out in these guidelines and attached application, the grant will be repayable on demand.

## **7 Other information about this Fund**

- 7.1 The Department of Jobs, Precincts and Regions reserves the right to amend these guidelines and application terms at any time as it deems appropriate.
- 7.2 The Department of Jobs, Precincts and Regions will endeavour to notify all applicants of the outcome of their submitted application within 5 business days.

## **8 Closing date and how to apply**

- 8.1 The Program will be open for applications until the date the Business Support Fund 3 is exhausted or 11.59pm on 23 November 2020, whichever is earlier.
- 8.2 Applicants are required to submit an application online via the Business Victoria website ([business.vic.gov.au](https://business.vic.gov.au)). All questions in the application need to be completed to ensure timely assessment and grant payment.
- 8.3 Further information may be found at [business.vic.gov.au](https://business.vic.gov.au) or through the Business Victoria Hotline at 13 22 15.