

# Business and Community Sport Flood Recovery Grants

## Disaster Recovery Funding Arrangements (AGRN 1037)

### Program Guidelines

#### 1. About the program

- 1.1 The program is jointly funded by the Commonwealth and Victorian Governments under the Disaster Recovery Funding Arrangements in relation to the Victorian Floods which commenced in October 2022 (AGRN 1037) (the “**2022 Victorian Floods**”). The defined disaster area incorporates the [local government areas](#) declared under the [Disaster Recovery Funding Arrangement](#).
- 1.2 The objective is to support clean-up, relief and recovery costs for small businesses, not-for-profit and community sport and active recreation organisations that have suffered direct loss or damage as a direct result of the 2022 Victorian Floods.
- 1.3 Businesses, Not-for-profit and Community Sport and Active Recreation Organisations (Applicants) play an integral part in local economies and communities, and this assistance will go towards minimising disruption in the affected areas and assisting with recovery in the affected communities.
- 1.4 The program opened for applications on 9 November 2022 and will close on 1 May 2023 at 4 pm unless funds are exhausted earlier. Subsequent claims (up to the full grant amount of \$50,000) can be made up to six months after the closing date of the program.
- 1.5 The program requirements around eligibility and evidence will be assessed, including through verification with other government agencies and independent assessors who can test the evidence that is provided as part of the application. Grant payments may also be subject to audit. The Department of Jobs, Skills, Industry and Regions (department) will take further action where false, misleading or fraudulent information is provided, including referring the applicant to relevant law enforcement agencies.

## 2. Available funding

- 2.1 Eligible small businesses, not-for-profit and community sport or active recreation organisations who have been directly impacted by the 2022 Victorian Floods may apply for up to \$50,000 to undertake relief and recovery actions.
- 2.2 The maximum grant amount available is **\$50,000** per applicant<sup>1</sup>:
- a. **Tier 1:** encompasses grant payments of up to \$25,000. To support a claim within Tier 1, **evidence of direct damage** and a statutory declaration (using the [statutory declaration template](#) for this program) is required. For example, the grant will be provided on the basis of photographs, quotations or estimates, advisory reports, or written inventory of lost/damaged assets. The applicant can also provide tax invoices or official receipts for recovery activities that have already been paid for.
    - i. For Tier 1 applications, tax invoices and/or receipts are NOT required to be supplied as part of the application. However, applicants must keep **evidence of payment** to verify that grant funds have been expended on eligible relief and recovery activities. This evidence of payment will also be required to make a claim for any subsequent funds above Tier 1 or for acquittal (see clause 2.4).
    - ii. **Where an applicant has received the \$5000 under the [Small Business Immediate Flood Relief Program](#) or the [Community Sport Emergency Flood Assistance Program](#), this will be deducted from the Tier 1 grant amount.**
  - b. **Tier 2:** encompasses subsequent grant payments totalling from \$25,000 and up to \$50,000. To make any claims for funds above \$25,000 up to a maximum of \$50,000, full **evidence of payment** is required, as demonstrated by tax invoices and official receipts (i.e. not estimates or quotations). This evidence of payment must also be provided for any amounts initially claimed under Tier 1.
- 2.3 An applicant can make up to three claims. An applicant's first claim must be for Tier 1. Up to a total of two subsequent claims can be made under either:
- a. Tier 1 (if the total cumulative amount claimed is \$25,000 ex GST or less)
  - b. Tier 2 (if the total cumulative amount claimed exceeds \$25,000 ex GST).
- 2.4 Applicants must provide the evidence as required for Tiers 1 and 2, to receive up to the total available amount of \$50,000<sup>2</sup> under the program (refer to the [program website](#) for details). Each claim can only be approved if the preceding application and/or claim is approved.
- 2.5 Where an applicant is approved for funding of \$25,000 or less (Tier 1) and does not seek further payment under Tier 2, the department may request the applicant to provide *evidence of payment* within 12 months of receiving the Tier 1 grant for reconciliation, acquittal and transparency purposes.

## 3. How funding may be used

- 3.1 Grants may be provided to help pay for the direct costs of the relief, clean-up and reinstatement of the small business, not-for-profit or community sport or active recreation organisation. This includes:
- a. engaging a tradesperson to conduct a safety inspection of damage to a property, premises or equipment;
  - b. hiring and leasing equipment<sup>3</sup>, 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

<sup>1</sup> Grant funding of up to \$50,000 is available per eligible applicant, refer to Section 7 for the definition of applicant.

<sup>2</sup> For the avoidance of doubt, an application under the Small Business Immediate Flood Relief Program or Community Sport Emergency Flood Assistance Program is not counted in the maximum of three claims permitted under this clause. Any additional claims will be considered by department on a case-by-case basis.

<sup>3</sup> Purchasing equipment may be considered eligible on a case-by-case basis if demonstrated to be more cost effective.

eligible disaster; 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 **eligible disaster**;

- d. removing and disposing of debris, damaged goods and material;
- e. removing and disposing of spoiled goods and stock due to power outage;
- f. essential repairs to premises and internal fittings (e.g. floor covering, electrical rewiring, shelving), if the repair is essential for resuming operation of the applicant<sup>4</sup>. If the repair or replacement is for small businesses, not-for-profit organisations 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 applicant, with the replacement cost up to an equivalent value of the damaged property, assets, stock or equipment;
- h. any of the following –
  - i. replacing lost or damaged stock if the replacement is essential for immediately resuming operation of the applicant.
  - ii. leasing temporary premises in the same region or community for the purpose of resuming operation of the applicant.

3.2 In addition to the above, not-for-profit community sport and active recreation organisations can also use grant funding to cover expenses related to the repair or replacement of:

- a. playing equipment
- b. injury prevention and first aid equipment
- c. non-participation and maintenance equipment
- d. canteen or clubroom items.

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

- a. loss of income as a result of the eligible disaster;
- b. payment of employee salaries that would have ordinarily been incurred by the small business, not-for-profit or community organisation had the eligible disaster not occurred;
- c. expansion projects;
- d. where 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;
- e. where the applicant has received, or has been approved to receive, financial assistance through another government assistance scheme for an item described in section 3.1;
- f. Repairs to a building leased for residential or commercial purposes, unless leased in the course of operating the business or organisation;
- g. Expenses associated with storm damage, that could be either water damage, impact damage or wind damage but is not associated with damage from flood water such as, but not limited to, water escaping from drains or roofs;
- h. Superannuation funds and personal investments; or
- i. Any other expenditure as determined by the department that does not meet program eligibility.

<sup>4</sup> Where the applicant is not the owner of the facility, asset or premises, written consent from the facility, asset or premises owner should be sought prior to undertaking any repairs.

## 4. Eligibility criteria

4.1 The applicant must be either:

- a. a business or not-for-profit; or
- b. a community sport or active recreation organisation.

### ***Small businesses or not-for profits***

4.2 To be eligible for the Business and Community Sport Flood Recovery grants, the **small business or not-for profit** applicant must:

- a. be a sole trader or a business employing fewer than 20 full-time equivalent employees<sup>5</sup>,
- b. hold an active Australian Business Number (ABN) and have held that ABN on and from 14 October 2022,
- c. be registered for Goods and Services Tax (GST) on and from 14 October 2022<sup>6</sup>,
- d. be a small business that is located in the defined disaster area for the eligible disaster,
- e. have been engaged in carrying on the small business when affected by the eligible disaster,
- f. have suffered direct flood damage to premises and/or tools of trade (e.g. equipment, plant),
- g. be intending to re-establish in the same community, region or sector as the defined disaster area for the eligible disaster,
- h. be primarily responsible for meeting the costs claimed in the applications, and
- i. for costs relating to activities listed in section 3, provide satisfactory evidence of the loss or damage.

4.3 The applicant business must be a legal entity registered in Victoria<sup>7</sup> and can be any of the following entity types:

- a. a company (including an Aboriginal corporation)
- b. a trustee on behalf of a trust (where the trust is the eligible business)
- c. sole trader and partnerships
- d. a not-for-profit company or incorporated association.

4.4 In the instance of a **non-employing business** (e.g. sole trader who has no employees), the business owner must derive at least 50 per cent of their income from the business, as evidenced by a 'Qualified Agent' (using the [required template](#) for this program).

4.5 In the instance of a **not-for-profit applicant** must be registered with the Australian Charities and Not-for-profit Commission (ACNC) or an equivalent State/Territory regulatory body and have held that registration at the time of the eligible disaster.

<sup>5</sup> The Department will verify payroll data held by the State Revenue Office, and for employing businesses that they are registered with WorkSafe Victoria 14 October 2022.

<sup>6</sup> Unless exempt, a business or enterprise must register for GST if it has a GST turnover of \$75,000 or more. Incorporated Associations registered with Consumer Affairs Victoria and charities registered with the Australian Charities and Not-for-Profit Commission, with an annual turnover between \$75,000 and \$150,000 that are exempt from GST registration are eligible to apply. Businesses with annual 2021-2022 turnover of \$75,000 or more that are not required by relevant taxation legislation to be registered for GST are eligible to apply. A statutory declaration from a registered tax agent will be required to confirm GST registration exemption. Businesses that backdate their GST registration date will not be eligible.

<sup>7</sup> Where required by relevant and applicable legislation and registration is on and from 14 October 2022. Responsible regulators are the Australian Securities and Investments Commission (ASIC); the ACNC for charities and Not-for-profits Commission; and Consumer Affairs Victoria (CAV) for incorporated association.

**Community sport or active recreation organisations**

- 4.6 To be eligible for the Business and Community Sport Flood Recovery Grants, a **community sport or active recreation organisation** must be:
- a. delivering a sport or activity that is a person-centric physical activity. This includes active recreation organisations that encourage people to participate in nature-based, outdoor activities (including sporting activities at camps);
  - b. non-government and not-for-profit, and
  - c. a legal entity delivering in Victoria and can be any of the following entity types:
    - i. An incorporated association
    - ii. A company limited by guarantee
    - iii. An Aboriginal and Torres Strait Islander corporation
  - d. be located in the defined disaster area for the eligible disaster;
  - e. have been engaged in carrying on their functions when affected by the eligible disaster;
  - f. have suffered direct damage to premises and/or tools of trade (e.g. equipment, plant);
  - g. be intending to re-establish in the same community, region or sector as the defined disaster area for the eligible disaster;
  - h. be primarily responsible for meeting the costs claimed in the applications; and
  - i. for costs relating to activities listed in section 3, provide satisfactory evidence of the loss or damage.

**All applicants**

- 4.7 An applicant (being a small business, not-for-profit, community sport or active recreation organisation) may also be eligible if it is located outside the defined disaster area for the eligible disaster but operates part-time or on some regular basis within the defined disaster area and that business' property, plant and/or equipment were damaged.
- 4.8 Where two or more independent and separately owned and registered applicants (being a small business, not-for-profit, community sport or active recreation organisation) operate from the same premises, each applicant may receive the maximum available grant amount providing applicants can demonstrate that:
- a. They are eligible for the grant in their own right, in line with clauses 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6 (where required);
  - b. They are claiming for different expenses to the other applicant/s who are operating on the same premises; and
  - c. The expenses that they are claiming are essential to the operation of their small business or not-for-profit organisations.
- 4.9 Small businesses or not-for-profit organisations which are part of a national chain must demonstrate that they operate through a separate legal entity to be eligible. Franchises may be eligible. Small businesses and not-for-profit organisations must be locally registered or operated, however, owners may reside outside the community, region or sector of the defined disaster area for the eligible disaster.
- 4.10 The following are not eligible to apply
- a. Primary producers (e.g. farmers)<sup>8</sup>
  - b. Commonwealth, State and local government agencies or bodies.<sup>9</sup>
  - c. Applicants who have been confirmed unsuccessful under the Small Business Immediate Flood Relief Program or the Community Sport Emergency Flood Assistance Program.

<sup>8</sup> A primary producer derives the majority of their income from a primary production enterprise in agriculture (including aquaculture, horticulture and viticulture), fisheries, hunting or trapping, horse husbandry, agistment, training, breeding and stud farm operations private forestry or apiary. Primary producers as described under the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC) 1292.0 (Revision 2.0) include Codes 01 (Agriculture), 02 (Aquaculture), 03 (Forestry and Logging), 04 (Fishing, Hunting and Trapping) and 05 (Agriculture, Forestry and Fishing Support Services).

<sup>9</sup> Committees of Management established under the *Crown Land (Reserves) Act 1978* are eligible to apply.

## 5 Assessment and approval process

- 5.1 The program will be administered by the department on behalf of the Victorian Government. All assessments of applications and payments will be managed in accordance with these Guidelines.
- 5.2 To apply for the Business and Community Sport Flood Recovery Grant Program, an application form must be completed and lodged. You must [complete the application online](#).
- 5.3 Applications will be assessed against the eligibility criteria and evidence provided. Applications must be submitted by the program close date (i.e. 1 May 2023) or earlier if funds are exhausted. Subsequent claims (up to the full grant amount of \$50,000) can be made up to six months after the closing date of the program.
- 5.4 The department reserves the right to request further information from you or from any business or individual you have engaged to assist in assessing your application and to verify any information provided in your application. Failure to provide such information may result in the department refusing your application.
- 5.5 Applications will be assessed using the information and evidence provided to support their application. As part of this process, any information provided by an applicant may be shared and subject to verification with other government agencies (Local, State and Commonwealth) including (but not limited to) the Australian Securities and Investments Commission, Australian Charities and Not-for-profits Commission, Consumer Affairs Victoria, WorkSafe Victoria, the Department of Energy, Environment and Climate Action, State Revenue Office, the Australian Business Register (ABR), local government and the Australian Government Department of Home Affairs.<sup>10</sup>
- 5.6 Applicants must ensure that the information listed with the ABR as part of their ABN registration is current and accurate at the time of application.<sup>11</sup>
- 5.7 Applicant registration details filed with the Australian Securities and Investments Commission, Australian Charities and Not-for-profits Commission, Consumer Affairs Victoria or other applicable regulators may be checked. Without limiting the assessment of the department, the following circumstances may be taken into consideration in any decision whether to award a grant:
- a. duplicate applications including by a trustee and a trust
  - b. misleading amendments to information provided to public registers describing the organisation
  - c. any adverse findings by a government agency or local council regarding an organisation or its operation
  - d. an organisation is, or notice has been given that it will be, placed under external administration
  - e. there is an application for liquidation or bankruptcy or to wind up a company or organisation
  - f. a step is being taken to deregister the company or organisation (including cancellation or lapse in registration or any relevant permit).
- 5.8 The department reserves in its absolute discretion the right to refuse an application where eligibility criteria are not met, or where the applicant does not or cannot provide sufficient information for department to assess whether eligibility criteria have been met.
- 5.9 Applications submitted may be subject to audit by department or its agents in order to determine whether the application and information provided was in compliance with scheme guidelines.
- 5.10 Applicants will be expected to provide documentation, as indicated by these Guidelines, to demonstrate the eligibility criterion have been met. This may include documents:
- Evidencing local government area(s) the Applicant conducts the small business, not-for-profit or community organisation in,
  - Registration of the entity and businesses, relevant property details, banking and financial information relating to the small business, not-for-profit or community organisation, and

<sup>10</sup> The department is not responsible for delays caused by third party validation of eligibility. By making an application, the applicant consents to the assessment and verification process.

<sup>11</sup> Organisations that backdate their GST registration date will not be eligible.

- Information relating to any loss or damage incurred by the Applicant during the 2022 Victorian Floods.
- 5.11 In exceptional circumstances, consideration may be given to applicants who do not meet the eligibility criteria outlined in section 4, upon agreement between department, other relevant Victorian Government department, and the National Emergency Management Agency (NEMA). The applicant will be responsible for providing sufficient reasons or evidence for being considered as an exceptional case. The decision of department, other relevant Victorian Government department or NEMA will be final.
- 5.12 Applicants must attest that they meet the eligibility criteria at the time of application. They will also need to meet the eligibility criteria at the time the application is assessed by the department.
- 5.13 Applicants who have been confirmed unsuccessful under the Small Business Immediate Flood Relief Program or the Community Sport Emergency Flood Assistance Program are ineligible for the Business and Community Sport Flood Recovery Grants.

## 6 Who can make the application?

- 6.1 The person applying for the grant must be authorised to submit the application and agree to the terms and conditions of the grant on behalf of the applicant. This must be a person authorised to execute contracts and legally bind the applicant.
- 6.2 Depending on the entity type, the following people are authorised representatives and can apply on behalf of their organisation:
- a. **Companies:** a director listed at the Australian Business Register (ABR) or Register of Indigenous Corporations<sup>12</sup>
  - b. **Sole traders:** the sole trader
  - c. **Trusts:** an authorised representative of the trustee, being either the trustee (if an individual) or a director of the trustee (if a company)
  - d. **Partnerships:** a partner.
- 6.3 **Incorporated associations** (including community sport and active recreation organisations): an authorised office holder of the organisation, for example the Secretary or President listed in the registration with Consumer Affairs Victoria (CAV) or with the Office for the Registrar of Indigenous Corporations.
- 6.4 If the person submitting the application is not an authorised representative, the applicant must provide a letter of authority (using the [letter of authority template](#) for this program) from the authorised representative. Evidence of the authority to legally bind the applicant will be required, and may include:
- a. the status of the person as an officer of the applicant authorised by law to act on behalf of the entity;
  - b. by a resolution of the entity authorising the person to act on behalf of the entity;
  - c. a formal authority given by the entity to a professional representative authorising the professional representative to act on behalf of the entity;
  - d. by formal appointment of an attorney who is authorised to act on behalf of the entity.
- 6.5 To confirm the identity of the person lodging the application, one of the following current proof of identity documents must be provided at the time of application:
- a. Victorian driver licence or learner permit
  - b. Australian passport
  - c. Medicare card
  - d. foreign passport for those issued with an Australian visa.

<sup>12</sup> If an applicant cannot be verified against the ABR, the department may rely on a Workcover Employer Number (i.e. WorkSafe registration) for the applicant, or information from a previously approved application.

- 6.6 If the proof of identity is unable to be confirmed by the department, the applicant will receive a follow-up email with instructions to amend their proof of identity details.
- 6.7 If an applicant has lost or had documents destroyed due to the floods, the applicant can contact the department via [info@business.vic.gov.au](mailto:info@business.vic.gov.au) or the Business Victoria Hotline on 13 22 15 for assistance to apply.

## 7 Definitions

**Applicant** is as defined by its Australian Business Number (ABN), or the community sport or active recreation organisation as defined by its incorporated association number, Australian Company Number or Indigenous Corporation Number (ICN), which will become the recipient upon successful acceptance by the department of their application.

**Defined disaster area** means:

- **2022 Victorian Floods** beginning in October 2022 and occurred in [local government areas](#) declared under the [Disaster Recovery Funding Arrangement](#) [i.e. AGRN1037].
- **2022 Victorian Flood Area** is a local government area impacted by the 2022 Victorian Floods identified under the Disaster Recovery Funding Arrangements.

**Direct damage** means the direct and material damage from the Victorian floods beginning in October 2022 to the applicant's property, assets, stock or equipment. It includes damage from power outages or sewerage system-wide issues in the defined flood affected area.

**Eligible separate business** means a separate **small business** owned by the same small business owner that would be a commercially viable and autonomous business if the other separate businesses operated by the eligible entity ceased to operate.

**Evidence of direct damage** is the information applicants must provide at the point of application demonstrating the direct damage associated with the eligible disaster, being:

- a. Photographs clearly showing damage to the property with a brief explanation of what they are showing contained in the title or name; or
- b. Information that demonstrates the financial impact of the damage, such as quotations, damage assessments, advisory reports, invoices or receipts. This information must include the name, address, date and ABN (if applicable) of the applicant organisation and entity that has issued the quote, assessment, invoice or receipt with information clearly identifying the work required.

In circumstances where direct disaster related damage is unable to be photographed or other information (such as receipts) are not available, the department may request other evidence to assess and determine claims. The appropriateness of this information will be considered and the department may request the applicant provide further information to inform itself of an applicant's eligibility.

**Evidence of payment** means:

- a. tax invoice(s) showing full details of the goods or services provided. The goods and services described on each invoice must be clearly identifiable having been paid by the applicant and being related to damage from the eligible disaster; and
- b. evidence of payment for these tax invoices. A copy must be provided of an applicant's bank transfer(s) and/or bank statement(s) with any relevant official receipt(s) from suppliers or contractors.

**Not-for-profit organisation** means an incorporated charity or not-for-profit entity which is registered with the Australian Charities and Not-for-profits Commission (ACNC) or an equivalent state/territory regulatory body.

**Official receipt** means a receipt including the name and address and ABN (if applicable) of the entity that issued the receipt and a description of each item to which the receipt relates.

**Qualified Agent** cannot have a conflict of interest for example by being an employee or director of the applicant, or an associated entity of the applicant, or a director or employee of an associated entity of the applicant. To confirm the identity of the qualified agent, the following information must be provided by the



applicant at the time of application i) Professional membership details<sup>13</sup>, and ii) A valid Tax Practitioners Board (TPB) registration number (where applicable).

**Reinstatement** means the carrying out of activities that are necessary to help the *small business or not-for-profit organisation* to continue/resume normal trading or production as soon as possible following an eligible disaster.

**Small business** is a business, other than a primary production enterprise that:

- a. employs fewer than 20 full-time employees. That is, the sum total of all standard hours worked by all employees (whether full-time or part-time) is less than the number of standard hours which would be worked by 20 full-time employees, as defined by the Australian Bureau of Statistics; or
- b. if operated by a sole trader and the business has no employees other than the sole owner<sup>7</sup> - the applicant must derive at least 50 per cent of their income from the business unless they can satisfy the administering agency that the sole trader, immediately before an eligible disaster, derived at least 50 per cent of income from the business **and** that at least 50 per cent of income from the business and at least 50 per cent of the sole trader's income, would have come from the small business again, were it not for the eligible disaster.

## 8 Outcome notification

- 8.1 There may be longer processing times, delays in notification of the outcome of the application or non-payment if:
  - a. the applicant does not meet the eligibility criteria
  - b. the application is incomplete
  - c. the application has incorrect information, such as ABN or bank details (for successful applicants)
  - d. the application does not include current or accurate information registered with relevant regulators or partner agencies, such as the ABR or WorkSafe
  - e. the department requires further information to verify or validate the application and claim for funding
  - f. the department is having trouble reaching the applicant
  - g. exceptionally high volumes of applications are submitted within a short period of time
  - h. applications are submitted during the Easter holiday period (e.g. 3 to 14 April 2023).
- 8.2 The second or third claims may take significantly longer to process as the department will prioritise the first-time claim of all applicants over supplementary claims.
- 8.3 The department may, at any time, remove an applicant from the application assessment process or terminate an agreement, if in the department's opinion association with the applicant may bring the department, a minister or the Victorian Government into disrepute.

## 9 Grant terms and conditions

- 9.1 As part of the application process, the person lodging the application on behalf of the applicant organisation must accept and agree to be bound by the terms and conditions of grant as stated in the

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<sup>13</sup> A qualified agent is any of the following:

- Qualified accountant who belongs to one of the following professional bodies at the declared membership classification i) CPA Australia (i.e. CPA and FCPA), ii) Chartered Accountants Australia and New Zealand (i.e. CA, ACA and FCA) and iii) Institute of Public Accountants (i.e. AIPA, MIPA and FIPA) and comply with the body's continuing professional education requirements; or
- A registered BAS Agent who belongs to one of the following associations at the declared membership classification, including i) the Institute of Certified Bookkeepers (FICB, MICB, AICB), and ii) the Australian Bookkeepers Association (Member), and iii) Association of Accounting Technicians (Australia) Limited and comply with the body's continuing professional education requirements; or
- A registered Tax Agent who belongs to one of the following professional bodies, including i) The Tax Institute, ii) National Tax Agents' Association (NTAA PLUS) and iii) Tax & Super Australia and comply with the body's continuing professional education requirements.

application for and these guidelines. By completing the application form the applicant is making an offer to the department and will be bound by the terms of the offer if accepted by the department.

- 9.2 If an application is successful, the department will notify the successful applicant via email. This will form an agreement between the successful applicant and the department on the terms contained in the application, the email sent by the department, these guidelines and the conditions of grant in the application form. An authorised representative of the applicant must acknowledge the email as acceptance of the grant conditions.
- 9.3 For community sport or active recreation organisations the following applies as terms and conditions:
- a. Adhere to and enforce the Fair Play Code, or the relevant state sporting association code of conduct and/or member protection policy, which incorporates the [Fair Play Code](#)
  - b. Implement and maintain policies relating to the [Child Safe Standards](#) in accordance with the *Child Wellbeing and Safety Act 2004 (Vic)*
  - c. Comply with the expectations of the [Victorian Anti-doping Policy 2012](#)
  - d. If named in the Royal Commission into Institutional Responses to Child Sexual Abuse, or received notice that it was named in an application for redress to the National Redress Scheme for Institutional Child Sexual Abuse established under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)* (*National Redress Scheme*), it must join or provide advice to the department that it intends to join, the [National Redress Scheme](#)
  - e. If successful, the applicant is required to acknowledge the Victorian Government's support through the provision of a grant from the Business and Community Sport Emergency Flood Recovery Program
  - f. Included within the promotional guidelines is the requirement that all activities acknowledge Victorian Government support through logo presentation on any activity-related publications, media releases and promotional material
  - g. For full details and logos, download the [acknowledgement and publicity guidelines for Sport and Recreation Victoria grant recipients](#).

## 10 Program evaluation

- 10.1 Grant recipients agree to participate in the department's performance monitoring and evaluation of this Program, which may include a survey.

## 11 Compliance and audit

- 11.1 Grant recipients may be subject to audit by the Victorian Government or its representatives on the accuracy of their application and use of government funds upon request; for a period of four years from receipt of payment.

## 12 Fraudulent claims

- 12.1 By signing the application form, you are declaring that the information provided in the application form and supporting documentation is true, accurate and not misleading about a material fact.
- 12.2 If any information in the application is found to be false, misleading or fraudulent (as determined by the department in its discretion), or the grant payment is not applied in accordance with the terms of funding as set out in these guidelines and the application, the grant payment will be repayable on demand and the department reserves the right to take further action, including referring the applicant to the relevant law enforcement agency. Providing inaccurate, untrue, or misleading information may result in an offence being committed and serious penalties may apply.
- 12.3 It is an offence under the *Oaths and Affirmations Act 2018 (Vic)* for a person to make a statement in a statutory declaration that they know to be untrue.

## 13 Privacy Statement

- 13.1 Information provided for this program, including personal information, will be collected and used by the department for the purposes of assessment of eligibility for this grant, comparing eligibility and compliance with other 2022 Victorian Floods programs and other active grant programs, administering reimbursement, program administration and program review. The department will be auditing and

monitoring applications and may contact you for clarification, program review and evaluation. In applying for a grant, applicants consent to the sharing of information as outlined in Section 9.

- 13.2 The department completes a range of eligibility assessments that may include data matching to clarify the accuracy and quality of your supplied information. The data matching can include ABN reference numbers, personal information such contact details, date of birth or drivers licence number or any proof of identity information supplied as part of this application. We compare eligibility with active grant programs run by the department or our partners. This is part of our auditing and monitoring purposes and for confirming eligibility across this and other programs run by or on behalf of the State.
- 13.3 If there is an intention to include personal information about a third party in the application, the applicant applying must ensure the third party is aware of and consents to the contents of this privacy statement. In the assessment of the application, it may be necessary to share personal information with State and Australian Government department and agencies.
- 13.4 The department collects demographic information for economic reporting purposes. No personal information is used in reporting, all reports are presented with aggregated data.
- 13.5 Any personal information about the applicant applying or a third party will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the *Privacy and Data Protection Act 2014 (Vic)* and other applicable laws. Enquiries about access or correction to your personal information, or for other concerns regarding the privacy of personal information and the [department's privacy policy](#) can be emailed to [privacy@ecodev.vic.gov.au](mailto:privacy@ecodev.vic.gov.au).

#### 14 Further information and other matters

- 14.1 The program will be open for applications until program funds are exhausted or 4 pm 1 May 2023, whichever is earlier.
- 14.2 The department reserves the right to amend these guidelines and application terms at any time as it deems appropriate.
- 14.3 If an unsuccessful applicant considers that their application has been incorrectly assessed, they can lodge a complaint. The complaint must be received within 60 days from the date the department notifies the applicant of the outcome of the grant application. If a complaint is not received within 60 days, the decision will be final. For more information, see: Complaints.
- 14.4 For business applicants: for any queries about your application or further information on the program, visit [business.vic.gov.au](http://business.vic.gov.au) or contact the Business Victoria hotline on 13 22 15.
- 14.5 For community sport applicants: for any queries about your application visit [sport.vic.gov.au](http://sport.vic.gov.au) or contact the Sport and Recreation Victoria at 1800 325 206 or via email [SRVGrants@sport.vic.gov.au](mailto:SRVGrants@sport.vic.gov.au)
- 14.6 Grants under this program may result in financial, taxation, legal or other implications for the Applicant. It is strongly recommended applicants seek independent financial advice in regard to these possible impacts. Applicants may also seek advice from the Australian Tax Office on 1800 806 218 if they have further questions about their individual situation.