

GUIDELINES

Sustainable Event Business Program

Program Summary

The \$7 million Sustainable Event Business Program (SEBP) provides a pathway to support the financial sustainability of key public events and major event businesses affected by the May-June 2021 Circuit Breaker Action. Funding of up to a maximum of \$250,000 can be sought to meet eligible expenses, support business solvency, and position businesses for recovery.

1 Standard Eligibility Criteria

1.1 To be eligible for SEBP, a business must meet **all** the following criteria:

- a) Be an organiser, host of, or supplier to a public event that was scheduled in the four weeks from 11.59pm on 27 May 2021
- b) Have incurred costs or losses for that public event as a direct result of the Circuit Breaker Action and subsequent restrictions that have significantly affected the ongoing viability of the event or event business
- c) In 2019-20, paid more than \$1.5 million annually in payroll for employees located in greater Melbourne or more than \$500,000 annually in payroll for employees located in regional Victoria¹
- d) Be of strategic significance² to the events sector in the region or to the State
- e) Have a place of business located in Victoria from which a significant portion of the business's operations is delivered for events that are predominantly held in Victoria, and demonstrate an ongoing commitment to maintaining operations and delivering/supplying events in Victoria
- f) Was a going concern and viable prior to 28 May 2021, meaning not insolvent or in administration or planning or expecting to cease operations or go into administration or liquidation in the foreseeable future
- g) Have seen a 50 per cent or more decline in annual turnover in the three months prior to 28 May 2021 compared with the same period in 2019 as a result of COVID-19 restrictions
- h) Have been registered for Goods and Services Tax (GST) on 27 May 2021³
- i) Hold an Australian Business Number (ABN) and have held the same ABN at 27 May 2021

¹ See Appendix for local government areas included in greater Melbourne and regional Victoria

² See paragraph 9 for definitions

³ A business or enterprise must register for GST if it has a GST turnover of \$75,000 or more. Not-for-profit entities with annual 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, subject to provision of a statutory declaration from a registered tax agent.

- j) Be registered with the responsible Federal or State regulator⁴
- k) Be an employing entity registered with WorkSafe Victoria⁵
- l) Attest that the business is supporting its workers to access any paid leave entitlements, or that if a person can work from home, to work from home during the Circuit Breaker Action, and supporting their casual workers, where possible.

2 Ineligible Businesses and Entities

- 2.1 The following businesses and events are not eligible under this program:
- a) Government entities, including Local Government and State-owned entities.
 - b) Event organisers or hosts operating regularly scheduled sporting and racing events. However, suppliers to sporting and racing events can still apply.
 - c) Private gatherings or public gatherings for the purposes of Victoria's Restricted Activity Directions.

3 Other Eligibility Conditions

- 3.1 Applications that do not meet all of the eligibility criteria may, at the sole discretion of the department, be considered on merit on a case by case basis, to be agreed by the Minister for Tourism, Sport and Major Events on advice from a relevant interdepartmental committee. This could include businesses that do not meet the payroll threshold but can demonstrate critical state significance to the events industry.
- 3.2 Any number of events businesses (e.g. event organiser, event host, event suppliers) that individually meet the above criteria may apply for a grant in relation to a single public event. This acknowledges events can have complex contractual and risk arrangements.

4 Available funding and Use of Funds

- 4.1 Eligible businesses may seek funding of up to \$250,000, subject to an Expression of Interest and invitation to apply. Applications will be assessed in the order they are received and until program funds are exhausted.
- 4.2 The allocation of funding to businesses will be determined on a case-by-case basis through a financial risk assessment and due diligence. Funding amounts will be determined with regard to:
- The nature and scale of unrecoverable business expenses related to the May-June 2021 Circuit Breaker Action
 - The extent to which the funding is needed to support the business' viability and position it for recovery

⁴ 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.

⁵ 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.

- Previous business actions to mitigate risk and losses, including reduction in spending, reasonable use of cash reserves and use of other available financial support programs.
- 4.3 A business as defined by ABN can only receive funding up to a cap of \$250,000, regardless of the number of public events it may be eligible to claim for.
- 4.4 Grant funds must be used for eligible expenses, including:
- Reasonable unrecoverable costs directly related to the organising, hosting, or supply to an event cancelled or subject to Chief Health Officer mandated restrictions in the four weeks from 11.59pm on 27 May 2021
 - Essential operating costs to maintain the business as a going concern for the relevant period.
- 4.5 Grant funds may not be used for ineligible expenses including:
- Costs deemed to be unrelated to the commercial delivery of the affected event
 - Payments to related parties
 - Distributions or debt payments to related parties
 - Bonuses or other discretionary payments.
- 4.6 In considering support to be provided, the following may be considered.
- What is the total amount of uncompensated, unrecoverable business expenses associated with the May-June 2021 Circuit Breaker Action?
 - Is the business at immediate risk of insolvency as a result of these expenses?
 - What is the forward calendar of events the business is planning to support or operate over the next six months?
 - How has the business's booked events been disrupted by COVID disruptions/lockdowns over the last 12-18 months?
 - If it is not currently at risk of insolvency, would the business be insolvent, or at significantly heightened risk of insolvency if it continues to invest in a forward calendar of events?
 - What action has the business taken over the last 12-18 months to adapt its business model to reduce its ongoing operating costs and respond to the events industry disruption?
 - What actions can the business take to reduce its exposure to insolvency (including engagement with fewer events) and what broader impacts could this have on the events sector?
 - What are the minimum necessary funds required for the business to continue to remain solvent and continue to operate and invest in events over the next six months?
 - If this amount exceeds the total amount of unrecoverable business expenses associated with the May-June 2021 Circuit Breaker Action, are there exceptional circumstances which warrant this additional funding (eg additional expenses to comply with Chief Health Officer mandated requirements or other related costs)?

5 Application and Assessment Process

- 5.1 Application and assessment under the SEBP will take place through a two-stage

process. Businesses seeking funding under this Program will be required to submit an expression of interest (EOI). Only final applications that are lodged with the Department will be considered and assessed, and applications in draft stage will not be considered. Following the EOI process, if the Department considers that businesses may be eligible, those businesses will be invited to provide further details for assessment.

- 5.2 As part of the assessment process, any information provided by Applicants may be shared and subject to verification with other government agencies (state and federal) including the Victorian State Revenue Office, WorkSafe Victoria, the Australian Business Register and the Commonwealth Department of Home Affairs.⁶
- 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 All questions and evidence requirements in the application must be completed to the standard required by these guidelines to ensure timely assessment and payment of the grant. DJPR reserves the right to request the applicant provide further information on losses incurred to confirm grant eligibility, should it be deemed necessary.
- 5.5 Each application will be carefully considered and assessed against the eligibility criteria. If an unsuccessful applicant considers their application has been incorrectly assessed, they will have the opportunity to lodge a complaint. More information on the complaints process and a complaint form can be found at <https://business.vic.gov.au/contact-us/complaints>.
- 5.6 Where an applicant is unsuccessful in receiving funding support under the guidelines, the department may in its absolute discretion reimburse any excess or unreasonable costs incurred by the business in preparing a detailed application (for example, if multiple third party audited financial statements are requested).

6 Demonstration of Eligibility

- 6.1 Applicants must certify that they meet the eligibility criteria at the time of application. To be eligible, applicants will need to meet the eligibility criteria at the time the application is assessed by the Department of Jobs, Precincts and Regions (DJPR).
- 6.2 Eligibility will be determined through a two-stage process. As part of the initial EOI stage, applicants will be required to submit:
- Business details
 - Attestation of annual payroll in 2019-20

⁶ DJPR is not responsible for any delays caused by third party validation of an Applicant's eligibility. By making an application the business and Applicant consents to the assessment and verification process.

- Summary of the role of the business in delivering events in the region/State
- Summary of impact from event cancellation/restrictions due to the May-June 2021 Circuit Breaker Action
- Attestation the business was a going concern on and prior to 27 May 2021
- Financial support required to meet eligible expenses⁷
- Details of funding applied for and/or already received under the May 2021 Circuit Breaker Business Support Package
- Attestation of ongoing commitment to maintaining operations in Victoria.

6.3 If the applicant is assessed by DJPR as being eligible to apply for grant funding, the applicant will be required to submit further details, including:

- Two financial years of audited financial statements (FY 2018-19 and FY 2019-20) and advice on financial position for the first three quarters of 2020-21 (including balance sheet, and profit and loss and cash flow statements)
- Details of actions previously undertaken to reduce operating expenses, secure alternative income sources and access other funding streams (e.g. financial institutions or other Federal and State funding streams)
- Six-month cashflow forecast from the date requested by the department with and without support
- Evidence of eligible expenses incurred, including payments to third-party suppliers⁸ (e.g. invoices, evidence of refunds made to suppliers, etc)
- Details of current financial contracts.

6.4 Applicants must provide details of a current proof of identity document. This must be one of the following:

- a driver licence or learner permit issued in any Australian jurisdiction; or
- an Australian Passport; or
- a Medicare Card; or
- a foreign passport for those issued with an Australian Visa.

The identity document details must be for a person listed on the Australian Business Register as either the owner, co-owner, associate or authorised contact of the business⁹.

6.5 If the current proof of identity is unable to be confirmed, applicants will receive a follow-up email with instructions to amend their proof of identity details. If the applicant does not then rectify proof of identity details before the Program close date, the application will not be considered by the Department for this Program.

7 Compliance and Audit

7.1 Applications may be subject to audit by the Victorian Government, its representatives or the relevant Auditor-General and will be required to produce evidence at the

⁷ See paragraph 4.1

⁸ See paragraph 4.1

⁹ For employing businesses, in the event that the Proof of Identity documents cannot be verified against the Australian Business Register, the Department will rely on an accurate Workcover Employer Number (i.e. WorkSafe registration) for the Applicant.

request of the Victorian Government for a period of four years after the grant has been approved.

- 7.2 If any information in the application is found to be incomplete, inaccurate, 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 any attached application, the grant will be repayable on demand.

8 Interaction with other available grant programs

- 8.1 Event organisers and other businesses that are deemed eligible for an SEBP grant may also be eligible for funding under the Business Costs Assistance Program (BCAP), the Licenced Hospitality Venue Fund (LHVF), the Impacted Public Event Support Grant or the Live Performance Support Fund.
- 8.2 Event organisers and suppliers that receive funding through one of these programs will have that amount discounted from the total grant received under this program.

9 Definitions

9.1 Strategic significance means:

- an event business that provides services that would be difficult to replace or would otherwise significantly constrain the delivery of events at a regional or state-wide level
- a major event for the state or for a region that drives significant visitation and spend relative to other state or regional events.

9.2 In considering strategic significance, the following may be considered.

- Does a particular event drive significant direct and/or indirect benefits to Gross Value Added (GVA) and employment in Melbourne or in a region?
- Does the event have other significant benefits to Melbourne or a region? For example, is it an anchor tourism event, or is strongly associated with a regional brand or identity?
- Is the organisation critical to the future running of the affected event?
- Is the organisation a critical part of the regional events supply chain? For example, does it have specialised skills, services, employees, or assets crucial to the events industry and not readily available elsewhere?
- For an event, could it be sold or transferred to continue operating without the current organiser?
- Would the loss of the event, event organiser or supplier have significant impact on market competition for its services for other events in the region?

10 Other information about this Program

- 10.1 DJPR reserves the right to amend these guidelines and application terms at any time as it deems appropriate.

11 Closing date and how to apply

- 11.1 The Program will be open for applications until the date the Program funds are exhausted or 11.59pm on Friday 16 July 2021, whichever is earlier.
- 11.2 Applicants are required to submit an application online via the Business Victoria website (business.vic.gov.au). All questions in the application need to be completed and requested information is to be provided to ensure timely assessment and grant payment.
- 11.3 DJPR will endeavour to notify all Applicants of the outcome of their submitted application within 20 business days. There may be delays if your application:
- does not meet all the eligibility criteria
 - does not have correct evidence or documentation
 - requires you to make changes
 - is a duplicate application for the same business
 - has incorrect information, such as ABN or bank details (for successful Applicants)
 - does not include current or accurate information registered with relevant regulators or partner agencies, such as the State Revenue Office, Australian Business Register or WorkSafe Victoria.
- 11.4 Further information can be found at business.vic.gov.au or by contacting the Business Victoria Hotline at 13 22 15.

12 Appendix

Greater Melbourne

- City of Melbourne
- City of Port Phillip
- City of Stonnington
- City of Yarra
- City of Banyule
- City of Bayside
- City of Boroondara
- City of Darebin
- City of Glen Eira
- City of Hobsons Bay
- City of Kingston
- City of Manningham
- City of Maribyrnong
- City of Monash
- City of Moonee Valley
- City of Moreland
- City of Whitehorse
- City of Brimbank
- City of Casey
- City of Greater Dandenong
- City of Hume
- City of Knox
- City of Maroondah
- City of Melton
- City of Whittlesea
- City of Wyndham

Regional Victoria

- Alpine Shire Council
- Ararat Rural City Council
- Ballarat City Council
- Bass Coast Shire Council
- Baw Baw Shire Council
- Benalla Rural City Council
- Buloke Shire Council
- Campaspe Shire Council
- Cardinia Shire Council
- Central Goldfields Shire Council
- Colac-Otway Shire Council
- Corangamite Shire Council
- East Gippsland Shire Council
- Falls Creek Alpine resort
- Frankston City Council
- French Island
- Gabo island
- Gannawarra Shire Council
- Glenelg Shire Council
- Golden Plains Shire Council
- Greater Bendigo City Council
- Greater Geelong City Council
- Greater Shepparton City Council
- Hepburn Shire Council
- Hindmarsh Shire Council
- Horsham Rural City Council
- Indigo Shire Council
- Lady Julia Percy island
- Lake Mountain Alpine Resort
- Latrobe City Council
- Loddon Shire Council
- Macedon Ranges Shire Council
- Mansfield Shire Council
- Mildura Rural City Council
- Mitchell Shire Council
- Moira Shire Council
- Moorabool Shire Council
- Mornington Peninsula Shire Council
- Mount Alexander Shire Council
- Mount Baw Baw Alpine Resort
- Mount Buller Alpine Resort
- Mount Hotham Alpine Resort
- Mount Stirling Alpine Resort
- Moyne Shire Council
- Murrindindi Shire Council
- Nillumbik Shire Council
- Northern Grampians Shire Council
- Pyrenees Shire Council
- Queenscliffe Borough
- South Gippsland Shire Council
- Southern Grampians Shire Council
- Strathbogie Shire Council
- Surf Coast Shire Council
- Swan Hill Rural City Council
- Towong Shire Council
- Wangaratta Rural City Council
- Warrnambool City Council
- Wellington Shire Council
- West Wimmera Shire Council
- Wodonga City Council
- Yarra Ranges Shire Council
- Yarriambiack Shire Council

