

# GUIDELINES

## Impacted Public Events Support Program

COVID-19 assistance to businesses

### Program Summary

The Impacted Public Event Support Program provides grants to organisers and suppliers of Tier 1 and Tier 2 public events under the Public Events Framework (PEF) that are approved or registered to take place between 11.59pm on 24 June 2021 and 11.59pm on 23 September 2021.

A Tier 1 event under the Public Events Framework is an approved event with more than 7500 attendees per event per day. A Tier 2 event is a registered event with between 1001 and 7500 attendees per event per day.

Organisers and suppliers of approved or registered Tier 1 and Tier 2 public events may apply for a grant of up to \$25,000 or \$10,000 respectively through the Business Victoria website.

If the event registrant is the venue operator, and not the event organiser, government will treat the venue operator as a supplier. The venue operator will be requested to nominate the event organiser during the application process.

### 1 Standard Eligibility Criteria

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

- a) Have an approved or registered Tier 1 or Tier 2 public event<sup>1</sup> with more than 1000 attendees under the Victorian Public Event Framework (PEF) that was scheduled between 11.59pm on 24 June 2021 and 11.59pm on 23 September 2021;
- b) Have incurred non-recoverable costs<sup>2</sup> as a direct result of the May-June and July lockdowns and subsequent restrictions associated with an approved or registered Tier 1 or Tier 2 public event by an amount exceeding the grant value;
- c) Have an annual Victorian payroll of up to \$10 million in 2019-20 on an ungrouped basis<sup>3</sup>;
- d) Hold an Australian Business Number (ABN) and have held the same ABN at 24 June 2021;
- e) Be trading solvently at the time of application;
- f) Operate a business or have employees in Victoria;

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<sup>1</sup> The PEF has different authorisation mechanisms for events depending on the number of attendees and nature of the event. Events that applied prior to 15 July 2021 to be registered and had not yet received approval will still be eligible for funding under this program. The Public Events Framework requires events to be registered at least two weeks before the event start date. Events that are not registered may not be eligible for a grant under this program. Government may ask applicants to provide further evidence to verify event details including date and expected attendance numbers. More information about the PEF can be found at [coronavirus.vic.gov.au/public-events](https://coronavirus.vic.gov.au/public-events).

<sup>2</sup> Non-recoverable costs include, for example, cancellation of a performance or other contract cancellations, ticket reimbursement, booking cancellations, marketing costs, utilities, wages, paid leave for staff unable to attend work, rent or the loss of perishable goods or any other direct non-recoverable costs related to the cancellation or postponement of a Tier 1 or Tier 2 public event between 11.59pm on 24 June 2021 and 11.59pm on 23 September 2021. These costs may have been incurred prior to, on or after 24 June 2021. The costs must be incurred by the applying business, as defined by its ABN.

<sup>3</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 Victorian taxable payroll of less than \$10 million in 2019-20 can apply.

- g) Have been registered for Goods and Services Tax (GST) on 24 June 2021<sup>4</sup>; and
- h) Be registered with the responsible Federal or State regulator<sup>5</sup>.

For employing businesses only<sup>6</sup>:

- i) Be registered with WorkSafe Victoria, if required to do so<sup>7</sup>; and
- j) 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 lockdown, and supporting their casual workers, where possible.

## 2 Supplier eligibility

2.1 Government will assess suppliers as eligible for a grant of up to \$10,000 against the following criteria – Suppliers must:

- a) Meet the standard eligibility criteria set out in section 1, excluding paragraph 1.1 a);
- b) Be a supplier to a registered Tier 1 or Tier 2 public event with more than 1000 attendees under the Victorian Public Event Framework (PEF) that was scheduled between 11.59pm on 24 June 2021 and 11.59pm on 23 September 2021;
- c) Not have been reimbursed for associated costs already; and
- d) Derive 50 per cent or more of their revenue from supplying events.

2.2 A supplier may still be eligible for a grant through this program, even if the event organiser is ineligible.

## 3 Ineligible Businesses and Entities

3.1 The following businesses and entities are **not** eligible under this program:

- a) Government entities<sup>8</sup> and educational institutions; or
- b) Those that have received event funding through the Victorian Government Major Event Fund, Business Event Fund, and Regional Event Fund; or
- c) Those that can continue operating without attendees during the lockdown periods; or
- d) Those operating regularly scheduled and fixtured events that occur repeatedly across multiple seasons over multiple years<sup>9</sup>.

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<sup>4</sup> 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.

<sup>5</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>6</sup> Employing businesses are defined as those businesses required to be registered for WorkCover insurance or equivalent. Sole traders, individuals in partnerships and individual trustees of trusts must employ persons other than themselves to be eligible in this category of 'employing businesses'.

<sup>7</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.

<sup>8</sup> This includes Commonwealth, State government bodies, wholly owned subsidiaries, and other bodies which are primarily funded by government.

<sup>9</sup> This includes events such as fixtures in a sporting season or the regular operation of a tourist attraction such as the Phillip Island Penguin Parade.

## 4 Available Funding and Use of Funds

- 4.1 Organisers of PEF registered Tier 1 and Tier 2 public events will be invited to apply for a grant of \$25,000.
- 4.2 Suppliers of PEF registered Tier 1 and Tier 2 public events can apply for a grant of \$10,000.
- 4.3 Events held over multiple sessions or days will be considered as a single event<sup>10</sup>.
- 4.4 A business (as defined by its ABN) can only receive a maximum of two (2) event organiser grants of up to \$25,000 for unique events and three (3) supplier grants of up to \$10,000 for unique events. A business cannot receive an event organiser grant and a supplier grant for the same event.
- 4.5 Businesses cannot receive an additional grant for the same event. Businesses that received a grant through the initial Impacted Public Events Support Program may receive funding through the Impacted Public Events Support Program - Round 2 if they have another, unique event that was cancelled in the period of 11:59pm 24 June 2021 to 11:59pm 23 September 2021. They may also receive funding if the original event was rescheduled and cancelled again in that period.
- 4.6 Any costs claimed under the first round of the Impacted Public Events Support Program are not eligible as costs for this round, and applicants must identify and provide evidence of new non-recoverable costs.
- 4.7 Suppliers that are related entities of eligible Tier 1 and 2 event organisers will not be eligible for a separate grant. Related entities can include, but is not limited to, any parent or subsidiary company, including minority equity ownership, of the eligible Tier 1 and 2 event organiser.
- 4.8 Grant funds must be used to assist the business, for example on:
  - Meeting business costs, including utilities, wages 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 Application and Assessment Process

- 5.1 Funding will be allocated through a grant application and assessment process.
- 5.2 Organisers and suppliers of events will be able to apply on the Business Victoria website. Event information provided will be cross-checked with PEF registrations and the event organiser may be contacted to verify that the business was supplying that event. Event organisers and suppliers are encouraged to nominate any suppliers associated with their registered event with whom they hold a contract above \$10,000.
- 5.3 As part of the assessment process, any information provided by applicants will be

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<sup>10</sup> Sessions include, for example, shows and matches in a series or season.

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.<sup>11</sup>

- 5.4 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).
- 5.5 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. The Department of Jobs, Precincts and Regions reserves the right to request the applicant provide further information on losses incurred to confirm grant eligibility, should it be deemed necessary.
- 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. More information on the complaints process and a complaint form can be found at <https://business.vic.gov.au/contact-us/complaints>.

## 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.
- 6.2 Businesses must identify, attest to, provide and retain evidence of non-recoverable costs as a direct result of the lockdown. Each application must include up to three attachments showing evidence of unrecoverable costs, for example of ticket reimbursement, marketing costs paid or a contractual obligation related to the cancelled event.
- 6.3 This evidence needs to be lodged with the application form. The evidence retained should reflect the types of costs indicated by the applicant in the submitted application. Applying businesses are required to retain this evidence for a period of four years after approval of the grant and provide it upon request.
- 6.4 Suppliers nominated for a grant must provide evidence that they were a supplier of the relevant public event such as a contract or invoice.
- 6.5 Suppliers and organisers are also required to attest that the supplier has not been reimbursed for any of the costs provided as evidence.

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<sup>11</sup> DJPR is not responsible for any delays caused by third party validation of an Applicant's eligibility.

6.6 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 business<sup>12</sup>.

6.7 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 will be subject to audit by the Victorian Government or its representatives and applicants will be required to retain evidence of costs incurred as a direct result of the lockdown for a period of four years after the grant has been approved, and provide it at the request of the Victorian Government.

7.2 If any declarations or statements made or information provided by the applicant is found to be incomplete, inaccurate, false or misleading, the application may not be approved, or any grant will be repayable on demand.

## 8 Interaction with other available grant programs

8.1 Any funding received by a business under the Business Costs Assistance Program Round Two (BCAP2) including the Tourism Supplement and the Top-Up payment, the Licenced Hospitality Venue Fund 2021 (LHVF21), the Live Performance Support Program (LPSP), or the Sustainable Event Business Program (SEBP), will be deducted from the total funding provided under this program. The calculation of deductions will be subject to the following considerations:

- Additional Top-Up support payments for BCAP2 and LHVF21 announced by the Government since 16 July 2021 will not be deducted from the funding provided under this program.
- If a business received a grant under the first round of the Impacted Public Events Support Program and there was a deduction, amounts from BCAP2, LHVF21 and LPSP will not be deducted from funding provided under this program.

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<sup>12</sup> 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.

## 9 Definitions

- 9.1 The definition of an eligible business is at section 1.
- 9.2 The definition of an eligible public event is at section 1.1(a).
- 9.3 The definition of an eligible supplier is at section 2.
- 9.4 An event organiser is the party who owns the rights to or is organising the event.

## 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 26 October, whichever is earlier.
- 11.2 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 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](https://business.vic.gov.au) or by contacting the Business Victoria Hotline at 13 22 15.