

GUIDELINES

Licensed Hospitality Venue Fund 2021- July Extension

Program Summary

The \$38.6 million Licensed Hospitality Venue Fund 2021 -July Extension (**Program**) assists licensed hospitality venues affected by the COVID-19 restrictions commencing 16 July 2021 which did not previously apply for the Licensed Hospitality Venue Fund 2021 in June 2021.

Through the Program, liquor licensees (**Licensees**) may apply for grants of \$7,200 per eligible premises in regional Victoria or metropolitan Melbourne.

These Guidelines set out the eligibility criteria for support under the Program. Please ensure that you read this document carefully before completing the application form.

The Department of Jobs, Precincts and Regions (**Department**) will send an email with a link to the Licensee to apply to this Program using the same email account as the eLicence email registered on the Licensees' Liquor Portal with the Victorian Commission for Gambling and Liquor Regulation¹. Completed application forms are to be submitted to the Department.

Businesses that have applied for and have been approved for funding for eligible premises under the Licensed Hospitality Venue Fund 2021 will receive additional automatic top up payments of \$3,000 and \$4,200 respectively, or as a combined \$7,200 top-up payment, and are not required to apply to this Program for those premises.

1 Standard Eligibility Criteria

1.1 To be eligible for the Program:

- businesses must operate a licensed bar, restaurant, pub, club, hotel, cafe or reception centre that is registered to serve food and alcohol (**Premises**) located in Victoria on 15 July 2021; and
- businesses must hold a general or late night (general), full club, restaurant and cafe, producer's or on-premises or late night (on-premises) liquor licence as at 15 July 2021²; and
- there must be a food business (which may be a third party or the Applicant) holding a Class 2 or 3 Service Sector Certificate of Registration that is valid in 2020 or 2021 under the *Food Act 1984* which serves food on the same Premises³; and

¹ Licensees may access the portal at the Victorian Commission for Gambling and Liquor Regulation (VCGLR): <https://liquor.vcglr.vic.gov.au/liquorportal/>. The Department recognises that the eLicence email may have been registered with the VCGLR by either the Licensee or a person authorised by the Licensee to do so.

² Categories of licences for liquor supply as issued by the Victorian Commission for Gambling and Liquor Regulation.

³ Food Certificates of Registration are issued by Local Councils. A Food Certificate can only be used once for grant purposes for one premises only.

- businesses must be registered for Goods and Services Tax (GST) on or from 15 July 2021⁴; and
- businesses must hold an Australian Business Number (ABN) and have held that ABN on 15 July 2021; and
- businesses must have not received a Licensed Hospitality Venue Fund 2021 grant for the same Premises; and
- businesses must be registered with the responsible Federal or State regulator⁵.

1.2 For employing businesses only⁶, the applicant must 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 July COVID-19 restrictions, and supporting their casual workers, where possible.

1.3 Licensees that operate a private gender-exclusive club and where membership is only by invitation or nomination by an existing member, are not eligible for assistance under the program.

1.4 Businesses will not be eligible to receive a Licensed Hospitality Venue Fund - July Extension grant if they have received support under any of the following programs:

- Licensed Hospitality Venue Fund 2021 for the same Premises⁷
- Business Costs Assistance Program Round 2
- Business Costs Assistance Program Round 2 – July Extension.

2 Available funding

2.1 The total grant amount is \$7,200 per Premises as specified on the liquor licence and food Certificate of Registration.

2.2 An eligible business as defined by its ABN can only receive one grant per Premises.

2.3 Where a business operates more than one Premises under its ABN, the business must make a separate application for each individual Premises.

3 Funding use

3.1 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.

⁴ 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.

⁵ Responsible regulators are the Australian Securities and Investment Commission (ASIC); the Australian Charities and Not-for-profit Commission (ACNC); Consumer Affairs Victoria (CAV); the Victorian Commission for Gambling and Liquor Regulation (VCGLR); Local Councils; PrimeSafe Victoria; and the Australian Business Register.

⁶ 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'.

⁷ A Premises is determined its location as defined by the Liquor Licence and food Certificate of Registration.

4 Application process

- 4.1 The Licensee will be invited to submit an application for a grant under this Program using their registered eLicence email contact details for the Licensee holding a liquor licence type eligible under this Program.
- 4.2 The Department will send the application link to the Licensee at the same email as the Licensee's Liquor Portal eLicence email registered with the Victorian Commission for Gambling and Liquor Regulation. Liquor licensees that do not have an eLicence email can provide this through their Liquor Portal account at <https://liquor.vcglr.vic.gov.au/liquorportal/>. Detailed instructions on how to register an eLicence email are available at the VCGLR website: https://www.vcglr.vic.gov.au/sites/default/files/final_liquor_portal_steps.pdf.
- 4.3 The Licensee must submit one application per licensed Premises using the link provided by the Department. All questions in the application must be completed to ensure timely assessment of the grant application.
- 4.4 Applications will be accepted until all available Program funds are exhausted or until 11.59pm Friday 20 August 2021, whichever is the earlier.
- 4.5 Only final applications that are lodged with the Department will be accepted and assessed. Applications in draft stage will not be accepted or considered.

5 Evidence of eligibility

- 5.1 Applicants must certify that they meet all eligibility criteria at the time of application.
- 5.2 Food Certificate for Premises. The application must include a copy of a current Class 2 or 3 Service Sector Certificate of Registration under the *Food Act 1984* (Vic) issued by the Local Council under the Victorian *Food Act 1984*. The Certificate must be valid in 2020 or 2021 and specify the same Premises as identified on the Licensee's liquor licence.
- 5.3 Identity Documents. 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 provided must be for a person listed on the Australian Business Register as the owner or co-owner of the business or associate or the liquor licensee or authorised contact of the business.

- 5.4 Applicants may be required to provide further information in support of the application at the Department's discretion.

- 5.5 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 at this link: <https://business.vic.gov.au/contact-us/complaints>.
- 5.6 The Department's decisions on all matters pertaining to the award of funding under this Program is at the Department's absolute discretion.

6 Other application information

- 6.1 As part of the assessment process, evidence provided by applicants will be shared and subject to verification with other government agencies (state and federal) including but not limited to, ASIC, Australian Business Register, Victorian Commission for Gambling and Liquor Regulation, Local Councils, PrimeSafe Victoria, and the Commonwealth Department of Home Affairs.⁸
- 6.2 Any of the following circumstances may be taken into consideration in any decision whether to award a grant:
- Any adverse findings by a Government agency or local council regarding a business or its operation;
 - A business is, or notice has been given that it will be, placed under external administration;
 - There is a petition for bankruptcy or to wind up or deregister a company or business; and
 - The business is or becomes deregistered or unregistered (including cancellation or lapse in registration or any relevant permit).
- 6.3 Businesses must ensure that their ABN registration information is current and accurate as at the time of application.

7 Compliance

- 7.1 Applications will be subject to a risk assessment which verifies any information provided with ASIC, Australian Charities and Not-for-Profits Commission, Australian Business Register, Consumer Affairs Victoria, Local Councils, PrimeSafe Victoria, Victorian Commission for Gambling and Liquor Regulation, the Commonwealth Department of Home Affairs or other applicable public sector agencies or regulators.
- 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.
- 7.3 Applicants may be subject to audit by the Victorian Government or its representatives and will be required to produce evidence at the request of the Victorian Government for a period of four years after the grant has been approved.

⁸ 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.

8 Other information about this Program

- 8.1 Any personal information about the applicant or a third party in the application and project reporting will be collected by the Department for the purpose of determining program eligibility and 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. For further information, please email: privacy@ecodev.vic.gov.au
- 8.2 The Department reserves the right to withdraw or amend the Program or these guidelines and application terms at any time as it deems appropriate.
- 8.3 Further information may be found at business.vic.gov.au or through the Business Victoria Hotline at 13 22 15.
- 8.4 The Department will endeavour to notify all applicants of the outcome of their fully completed and submitted application within 10 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 Victorian Commission for Gambling and Liquor Regulation, the Australian Business Register or Local Council.