

# Small Business Immediate Flood Relief Program

## Disaster Recovery Funding Arrangements (AGRN 1037)

### Program overview

The Small Business Immediate Flood Relief Program assists eligible businesses that were directly affected by flood damage as a result of the Victorian flood events that commenced in October 2022. The program offers grants of \$5000 to eligible businesses, including employing and non-employing businesses.

The program is jointly funded by the Commonwealth and Victorian Governments under the Disaster Recovery Funding Arrangements (AGRN 1037) (the “2022 Victorian Floods”).

To be eligible for the program, your business must have incurred significant direct flood damage due to the Victorian floods that commenced in October 2022 and be located within a local government area deemed eligible for assistance under the [Disaster Recovery Funding Arrangement](#).

The program provides funding to cover expenses arising from the damage from flooding to the place of business, business assets, stock or equipment.

The program will open for applications on Thursday 20 October 2022 and close on Tuesday 7 February 2023 at 4 pm, or earlier if funds are exhausted. Applications are assessed on a first in first served basis.

### 1. Who is eligible for a grant?

1.1 This program supports businesses that have incurred significant direct flood damage due to the Victorian floods that commenced in October 2022 and are located within a local government area deemed eligible for assistance under the [Disaster Recovery Funding Arrangement](#). Please see the Business Victoria website for a list of [eligible local government areas](#).

1.2 The applicant business must:

- a) hold an active Australian Business Number (ABN) and have held that ABN on and from 14 October 2022
- b) be registered for Goods and Services Tax (GST) on and from 14 October 2022<sup>1</sup>
- c) have incurred significant direct damage from flooding to the place of business, business assets, stock or equipment.

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<sup>1</sup>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, with an annual turnover between \$75,000 and \$150,000 that are not registered for GST and charities, registered with the Australian Charities and Not-for-Profit Commission, that 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 may be required. Businesses that backdate their GST registration date will not be eligible.

- 1.3 The applicant business must be a legal entity registered in Victoria<sup>2</sup> and can be any of the following entity types:
- a company
  - a trustee on behalf of a trust (where the trust is the eligible business)<sup>3</sup>
  - sole trader and partnerships
  - a not-for-profit company or incorporated association.
- 1.4 The following are not eligible to apply:
- Primary producers (e.g. farmers)<sup>4</sup>
  - Commonwealth, State and local government agencies or bodies.<sup>5</sup>

## 2. Grant funding

- 2.1 Grant funding of \$5000 is available per business. A business, as defined by its Australian Business Number (ABN), can only receive one grant under this program.
- 2.2 Businesses will not be eligible to receive funding under this program if they have received support under the following programs:
- Primary Producer Flood Relief Program
  - Community Sport Emergency Flood Assistance Program.

## 3. What the grant can be used for

- 3.1 Grant funding can be used to cover business expenses arising from the damage from flooding to the place of business, business assets, stock or equipment.

## 4. How the program works

- 4.1 Applicants that apply for funding from this program undertake the following process:

**Step 1** – Check your eligibility and apply via the [Business Victoria website](#) and:

- provide proof of identity (refer to Section 5)
- attest to having incurred significant direct damage from flooding to the place of business, business assets, stock or equipment
- provide the following information: ABN, entity registration details (e.g. ACN), trustee details, Workcover Employer Number if available, location of business.

**Step 2** – Submitted applications are assessed by the department for eligibility.

<sup>2</sup> Where required by relevant and applicable legislation. 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 associations.

<sup>3</sup> A trustee can apply on behalf of a trust provided that the trustee will remain sufficiently liable for any terms or obligations for receiving a grant and meets the criteria as set out in Section 2.

<sup>4</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>5</sup> Committees of Management established under the *Crown Land (Reserves) Act 1978* are eligible to apply.

**Step 3** – Applicants are notified of the assessment outcome. If the application is successful, payment is made into the nominated bank account (see Section 8).

## 5. Who can make an application?

- 5.1 The person lodging the application must be a person identified on the Australian Business Register (ABR) as either the owner, co-owner, associate, or authorised contact of the applicant business (e.g. accountant).<sup>6</sup>
- 5.2 The applicant must submit a fully completed application form to receive grant funding.
- 5.3 To confirm the identity of the person lodging the application, details of one of the following current proof of identity document 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.
- 5.4 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.
- 5.5 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.

## 6. Grant terms and conditions

- 6.1 As part of the application process, the person lodging the application on behalf of the applicant business must accept and agree to be bound by the terms and conditions of grant in the application form 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.
- 6.2 If your application is successful, the department will notify you via an email of acceptance (e.g. successful email notification). This will form an agreement between you and the department on the terms contained in your application, the email of acceptance, these guidelines and the conditions of grant in the application form.

## 7. Assessment of eligibility

- 7.1 Applications will be assessed using the information and evidence provided in their application form. As part of this process, any information provided by an applicant may be shared and subject to verification with other government agencies (State and Commonwealth) including (but not limited to) the Australian Securities and Investments Commission, Australian Charities and Not-for-profits Commission,

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<sup>6</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.

Consumer Affairs Victoria, WorkSafe Victoria, the Department of Environment, Land, Water and Planning, the ABR and the Commonwealth Department of Home Affairs.<sup>7</sup>

7.2 Businesses 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>8</sup>

7.3 Business 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 business
- c) any adverse findings by a government agency or local council regarding a business or its operation
- d) a business is, or notice has been given that it will be, placed under external administration
- e) there is a petition for bankruptcy or to wind up or deregister a company or business
- f) a step is being taken to deregister the company or business (including cancellation or lapse in registration or any relevant permit).

7.4 Each application will be carefully considered and assessed against the eligibility criteria. The department's decisions on all matters pertaining to the award of funding under this program is at the department's absolute discretion.

7.5 Only final applications that are lodged with the department will be considered and assessed, and applications in draft stage that have not been submitted will not be considered.

7.6 Applicants must attest that they meet the eligibility criteria at the time of application and they will also need to meet the eligibility criteria at the time the application is assessed by the department.

## 8. Outcome notification

8.1 The department will endeavour to notify all applicants of the outcome of their complete and eligible applications within 10 business days of submission.

8.2 There may be longer processing times and delays in notification of the outcome of the application 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)

<sup>7</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>8</sup> Businesses that backdate their GST registration date will not be eligible.

- 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) applications are submitted during the summer holiday period (e.g. 23 December 2022 to 6 January 2023).

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 State of Victoria into disrepute.

## 9. Program evaluation

- 9.1 All grant recipients agree to comply with the department's performance monitoring and evaluation regime including the potential participation in an evaluation survey.
- 9.2 The evaluation enables the effectiveness/impact of the program to be assessed and an evaluation survey completed by grant recipients may be required at six months following successful application approval.

## 10. Compliance and audit

- 10.1 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.
- 10.2 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 may be repayable on demand and the department reserves the right to take further action, including referring the applicant to the appropriate authorities.

## 11. Privacy statement

- 11.1 Information provided for this program will be used by the department for the purposes of assessment of eligibility, program administration and program review. In applying for a grant, applicants consent to the sharing of information as outlined in Section 6.
- 11.2 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.
- 11.3 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 the privacy of personal information and the department's privacy policy can be emailed to the department's Privacy Unit at: [privacy@ecodev.vic.gov.au](mailto:privacy@ecodev.vic.gov.au).

## 12. Other information about this program

- 12.1 The program will be open for applications until program funds are exhausted or 4 pm Tuesday 7 February 2023, whichever is earlier.
- 12.2 The department reserves the right to amend these guidelines and application terms at any time as it deems appropriate.
- 12.3 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](#).
- 12.4 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 at 13 22 15.

## Glossary

Term	Definition
<b>applicant</b>	The legal entity holding the ABN specified in the application for funding under the program and which will become the recipient upon acceptance by the department.
<b>application</b>	The application submitted by or on behalf of the applicant to the department for funding under the program for the project.
<b>department or State</b>	The State of Victoria through the Department of Jobs, Skills, Industry and Regions.
<b>flood event</b>	Flooding that occurred within a local government area deemed eligible for assistance under the <a href="#">Disaster Recovery Funding Arrangement</a> .
<b>grant</b>	The funding provided by the department to the recipient under this program.
<b>guidelines</b>	Small Business Immediate Flood Relief Program Guidelines (this document)
<b>program</b>	Small Business Immediate Flood Relief Program
<b>recipient</b>	The applicant as specified in the application where the application has been accepted by the department, by the issue of a successful email