



## Guidelines

### Early Business Closure Grant – River Murray Event

- The Early Business Closure Grant (Grant Program) will provide financial support for businesses in the River Murray regions (Riverland, Murray River Lakes and Coorong) needing to close early or cease trading as a result of high water flows on the River Murray.
- The River Murray regions include the Alexandrina Council, Berri Barmera Council, Coorong District Council, District Council of Karoonda East Murray, District Council of Loxton Waikerie, Mid Murray Council, Murray Bridge Council, Pastoral Unincorporated Area and Renmark Paringa Council.
- Eligible businesses can apply to the Department for Industry, Innovation and Science (the Department) for one of the following one-off grants:
  - \$20,000 for an employing business. An employing business is a business with staff that are under the control of the business who receive regular Pay As you Go (PAYG) salary or wages and PAYG Withholding amounts as well as superannuation paid by the employer. An owner, partner, or beneficiary of a trust is not considered to be an employee for the purpose of this grant; or
  - \$10,000 for a non-employing business.

### **Eligibility Criteria**

- As of 1 November 2022, a business (either employing or non-employing) must meet all the following criteria to receive a grant payment:
  - Have a valid and active Australian business number (ABN) and be registered for GST;
  - Are carrying on the operation of a business located in the River Murray regions;
  - Have an annual turnover of more than \$75,000 (excluding GST) in the 2021-22 financial year;
  - Not engage in illegal activity;
  - An employing business will need to demonstrate a total Australian grouped payroll of less than \$10 million in the 2021-22 financial year; and
  - Such other criteria as approved by the Treasurer from time to time.
- The business must have been forced to close or cease trading as a result of the high River Murray flows and associated restrictions for at least 14 days with closure occurring prior to the date set by DIIS which will be set having regard to wider flooding.
- Eligible businesses include businesses in all industry sectors, including tourist operators such as tourist parks, houseboat operators and hotels. Organisations or individuals managing



short-term holiday rentals, e.g. private properties rented through real estate agents or bookings sites such as Airbnb or Stayz, are not eligible for the grant.

### Application process

Applications can be submitted via the Department's Early Business Closure Grant form available on its website (<https://business.sa.gov.au/>) or applicants can be assisted in completing an online form or hardcopy form at the relief centres that have been established.

- Applicants will have to declare that they meet the Eligibility Criteria and provide the following evidence of their eligibility:
  - Proof of business turnover from the 2021-22 financial year; and
  - Proof of Australian grouped payroll less than \$10 million in the 2021-22 financial year.
- On receipt of the application, the Department or other State Government representative will verify the relevant Eligibility Criteria has been met. The Department will contact the Applicant or request further information if required.
- On verification of eligibility via a declaration signed by both the Applicant and the Department representative, or another State Government representative, the grant will be paid directly into the Applicant's bank account using the details provided in the application form.
- Grants will be available up to a date to be determined by the Department.

### Further Information

- If you require further information to participate in the program, please refer to the FAQs or contact [diis.smallbusiness@sa.gov.au](mailto:diis.smallbusiness@sa.gov.au).

### Reservation of Rights

- The Treasurer of South Australia reserves the right to:
  - administer the Early Business Closure Grant and conduct the process for the assessment and approval of applications to the Early Business Closure Grant in such manner as it thinks fit;
  - change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall Early Business Closure Grant (including but not limited to eligibility, timeframes, terms and conditions, submission and compliance of applications), where in such circumstances notice will be provided to applicants on the Department's website; and
  - consider or accept, or refuse to consider or accept, any application which:
    - is lodged other than in accordance with these Guidelines; or
    - is lodged after the relevant closing date; or
    - does not meet the annual turnover threshold; or
    - is otherwise non-conforming in any respect.



## Early Business Closure Grant – River Murray Event

By submitting this Application Form, Applicants agree to the following Terms and Conditions which sets out the obligations and conditions under which the Grant will be provided to approved eligible Applicants.

I agree to the Terms and Conditions on behalf of the Applicant

### Terms and Conditions

In these terms and conditions, the following definitions apply:

**Government Party** refers to the Minister for Small and Family Business.

**Applicant** refers to the applicant that meets the Eligibility Criteria and that has been approved by the Government Party to receive the Grant under the Program.

**Declaration Form** refers to the document provided to the Applicant by the Government Party after the submission of this Application Form and to be completed by the Applicant to confirm the Applicant's eligibility to receive the Grant.

**Eligibility Criteria** means the eligibility criteria for the Program as set out in the Program Guidelines.

**Grant** refers to the grant amount approved by the Government Party to be provided to the Applicant for the Purpose.

**Grant Agreement** refers to these terms and conditions and the Application Form completed by the Applicant for the Program (**Application Form**).

**Program** means the Early Business Closure Grant – River Murray Event Program.

**Program Guidelines** refers to the guidelines for the Program.

**River Murray Event** refers to high water flows on the River Murray.

**Purpose** refers to the purpose of providing support to businesses affected by the River Murray Event.

The Grant is provided subject to the following terms and conditions:

1. The Applicant must not issue a Tax Invoice in respect of a Taxable Supply.
2. The Government Party will pay the Grant within 30 days to the Applicant upon verification of the Applicant's Declaration Form by the Government Party.
3. The Applicant represents and warrants to the Government Party that all information provided by the Applicant to the Government Party (including but not limited to information in the Application Form and the Declaration Form and any associated information provided by the Applicant to the Government Party) is true and correct.
4. The Applicant agrees that the Government Party may request additional information from the Applicant relating to the Grant, Eligibility Criteria and the Grant Agreement and the Applicant must provide the Government Party with any information requested within seven (7) days of the request.
5. If the Applicant fails to comply with this Grant Agreement at any time, the Government Party may:
  - (a) require the Applicant to repay either the whole or a portion of the Grant (whether expended or not) within 14 days of a written demand from the Government Party;
  - (b) withhold funds not already paid;
  - (c) withhold future grants from the Applicant; and/or
  - (d) terminate this Grant Agreement.



## **Disclosure of Information and Privacy**

The Department collects personal information as reasonably necessary for the purposes and functions of:

- administering our grants and funding program;
- keeping you informed about relevant upcoming events, grants funding initiatives and outcomes, our services, special events or client feedback surveys as well as our activities in general; and
- improving our websites and other services.

The Department complies with the Government's Information Privacy Principles Instruction (Department of the Premier and Cabinet Circular PC012) when dealing with all personal information. The information you provide in your application may be used by the Department for:

- providing to peer assessors for processing and assessing your application
- processing, paying, and administering your grant;
- reviewing and evaluating our funding programs, strategies, plans and services – we may contact you for this purpose; and
- training, systems testing and process improvement including compiling statistics and reports.

The information you submit to us in your application is treated as confidential if it is identified by you as confidential (except for details that may be included as "published details"). Any information contained in, or relating to, an application, including information identified by an applicant as confidential information for the purposes of applying for funding under the program, may be disclosed by the Department:

- to employees, advisers or third parties in order to manage the program (including but not limited to, for the purposes of evaluating and assessing the application);
- within the Government of South Australia where this serves the legitimate interest of the Department;
- in response to a request by a House or Committee of the Parliament of the Commonwealth of Australia or South Australia;
- where information is authorised or required by law to be disclosed; and
- where the information is already in the public domain.

If an application is successful, details of successful applicants may be publicly disclosed in official Government of South Australia media releases and websites.

In addition, the Application Form and associated documents provided may be audited, which will mean disclosure of such documents, including your personal information, to auditors for audit purposes only.

## **Declaration/Agreement/Consents**

- a. I declare that I have authority to complete this Application Form and to make the declarations, consents and acknowledgements below on behalf of the Applicant, and further acknowledge that by including my name in this Application Form, I am deemed to have signed this Application Form as an authorised representative of the Applicant.
- b. I declare that the Applicant meets all the Eligibility Criteria.
- c. I declare that I have read and agree to the Terms and Conditions included in this Application Form and which subject to confirmation of eligibility and approval by the Government Party, will form the Grant Agreement.



- d. I declare that I have read and understood the Program Guidelines and the instructions set out in this Application Form, (including but not limited to the provisions relating to, Disclosure of Information and Privacy).
- e. I agree and consent to the Government of South Australia using the personal information in this Application Form and any other personal information collected for this Grant: (a) in accordance with the provisions as set out in the Disclosure of Information and Privacy and the Program Guidelines (including but not limited to for the purpose of managing the grant assessment and approval process, including the collation of statistics) and; (b) for the purposes of administering and implementing other Government of South Australia current and future grants (if applicable) pertaining to the Applicant.
- f. I declare that the information contained in this Application Form together with any statement attached and all other information provided in relation to this Application Form is, to the best of my knowledge, true, accurate and complete. I also understand that giving of false or misleading information is a serious offence under the *Criminal Law Consolidation Act 1935 (SA)*.
- g. I understand that I may be requested to provide further clarification or documentation to verify the information supplied in this Application Form (and/or associated documents) and that during the application process, the Department may consult with other government agencies or engage external advisors about the information provided in the Application Form (and associated documents).
- h. I acknowledge that if the Government Party is satisfied that any information provided in this Application Form (or in any associated documents) is incorrect, incomplete, false or misleading, the Government Party may, at its absolute discretion, take appropriate action which may include, but is not limited to, excluding my Application Form from consideration; withdrawing a funding offer and/or terminating any grant agreement including recovering funds already paid.
- i. I declare that the Applicant will comply with, and require that its employees and contractors comply with, all applicable laws and Government policies.
- j. I understand that the assessment of this Application Form and any decision to approve any funding is at the absolute discretion of the South Australian Government.

I agree to the above declarations