

Territory Small Business Survival Payment

Terms and Conditions

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1. General

In response to the COVID-19 pandemic, the Northern Territory Government released the Jobs First Plan, an initiative designed to rebuild the local economy by strengthening and supporting Territory businesses.

1.1. Objective

The Territory Small Business Survival Payment ('Program') is established under the Jobs First Plan and to provide businesses significantly impacted by COVID-19 with funding to help them survive, adapt and prepare for the economic rebound.

One-off payments of between \$2000 and \$20,000 will be offered to support businesses that have experienced considerable reductions in turnover and need continuing support to get through the ongoing COVID-19 impacts.

2. Program Definitions

Audit means the Department's right to check original documents and undertake inspections of the books of account of an Eligible Business upon giving the Eligible Business reasonable notice, as well as make enquiries of any other Northern Territory Government Department to ascertain compliance with any laws of the Territory relevant to the Eligible Business.

Department means the Northern Territory Government, Department of Industry, Tourism and Trade.

An Eligible Business:

- is a Territory Enterprise; and
- holds a valid Australian Business Number as at 1 October 2019; and
- was providing goods and/or services to the public wholly or substantially in the Northern Territory as at 1 October 2019; and
- is an actively trading private small business with an annual turnover of at least \$75,000 and less than \$10 million; and
- can demonstrate a minimum of 50% reduction in turnover experienced in October 2020 compared to October 2019; and
- can provide valid conclusive evidence of its employee numbers and financial situation.

Excluded Recipients are private and public schools, private and public educational institutions, government agencies, government owned/ controlled bodies, not-for-profit organisations, statutory corporations, and local government bodies.

FTE means a Full Time Equivalent Employee of the Eligible Business.

Grant means a one-off cash payment as described in Clause 3.3.

Territory Enterprise is a business that satisfies all of the following:

- operating in the Northern Territory - the enterprise is actively trading out of premises located in the Northern Territory; and

- has a significant permanent presence - the business maintains an office, manufacturing facilities or other permanent base within the Northern Territory; and
- employs Northern Territory residents.

Turnover means the gross ordinary income received by the Eligible Business for the relevant period, and, for the avoidance of doubt, includes any amounts received from a State, Territory or the Commonwealth Government (for example, JobKeeper payments).

3. Program Participation

Applications must be made to the Department and comply with all processes and procedures contained in these Terms and Conditions and that the Department may otherwise set from time to time.

The application form and other information for Eligible Businesses will be available online at businessrecovery.nt.gov.au and applications will open on 15 December 2020.

3.1. Eligibility

In order to participate in the Program a business must be an Eligible Business and can only access the program once.

3.2. Application Process

Applicants must visit businessrecovery.nt.gov.au and follow the links to fill out the online form and upload the required supporting documentation.

3.3. Payment of Funding

The amount of Grant Funding an Eligible Business is able to receive is determined by the size of the Business's workforce:

- \$2000 for businesses with one FTE(including sole traders)
- \$5000 for businesses with 2 to 5 FTEs
- \$10 000 for businesses with 6 to 19 FTEs
- \$20 000 for businesses with more than 20 FTEs

Successful applicants will receive a Grant.

4. Changes to Program

The Department reserves the right to:

- vary these terms and conditions, the eligibility criteria or any other documented rule or procedure relating to the Program at any time; and
- accept or reject any application for participation in the Program in its absolute discretion; and
- cease the Program at any time should Northern Territory Government policy change.

5. Privacy

In this section, a reference to “you” is a reference to a participant.

The Department is bound by the *Information Act 2002 (NT)* and will only ever use information in accordance with the Northern Territory Government’s Information Privacy Principles. These principles are available at www.infocomm.nt.gov.au/privacy/information-privacy-principles or by contacting the Information Commissioner Northern Territory on 1800 005 610.

Recipients should read the Department’s [Privacy Policy](#)¹ and by providing information to the Department under the Program, Businesses and Recipients agree to the following Privacy Statement:

Information collected as part of the Program application process is collected in accordance with the Program’s terms and conditions and for the purposes of assessing participant eligibility, audit; monitoring; evaluation; and reporting.

By applying to participate in the Program, you consent to the Northern Territory Government:

- (a) storing information, including personal information (such as names and personal contact details);
- (b) using the information, including personal information for the purposes mentioned under the paragraph above;
- (c) transferring some of this information, including personal information, outside of the Northern Territory (but not outside Australia) for the purpose storing it; and
- (d) releasing non-sensitive information, de-identified data in accordance with the Northern Territory Government’s open data policy.

If you have provided personal information of another individual to the Northern Territory Government, you warrant that you have informed the person to whom the personal information relates that the personal information will be provided to the Northern Territory Government, and of the Northern Territory Government’s intended use of this personal information, and that you have obtained consent from all such persons to allow the Northern Territory Government to use and disclose their personal information in this manner.

6. Due Diligence, Audit and Compliance with Law

All participants in the Program acknowledge:

- (a) that the Department will conduct such due diligence enquiries as it sees fit in order to ensure the integrity of the Program and that the allocated funding is used strictly in accordance with the intent of the relevant government policy.
- (b) that it is a condition of participation in the Program that applicants comply with all relevant laws, including the *Payroll Tax Act 2009* and *Taxation Administration Act 2007* and, without limitation, that the applicant ensure they are aware of their obligations under the *Independent Commissioner Against Corruption Act 2017* (the Act) and that none of their officers, employees, and/or members engage in improper conduct as that term is defined in the Act.

¹ <https://industry.nt.gov.au/publications/business/policies/privacy-policy>

All participants in the Program acknowledge and expressly agree to the Department seeking from and sharing information with other NT Government agencies, as well as such external professional advisers as it may need to do in order to assess eligibility, such as conveyancers / solicitors.

The Department reserves the right to conduct an Audit at any time during the Program or within 12 months after the Program's End Date.

By applying to participate in the Program, applicants declare that they expressly agree to the Department having access to any private register of information in relation to the Business, and to the Department using, storing and releasing for lawful purposes, their information, including personal information.

7. Release and Indemnity

By applying to participate and as a continuing obligation throughout any period of participation in the Program, the applicant declares and warrant to the Department that they have read, understood and fully accept these terms and conditions and fully release and indemnify the Department against any loss or damage he/she/it/they may suffer of any nature whatsoever (including without limitation personal injury or death) caused or contributed to by participation in the Program.

8. Program End

The Small Business Survival Payment Program is a result of a decision by the NT Government to provide one-off funding to assist Eligible Territory Businesses.

The Program opens to applications on 15 December 2020 and will close once all funding is committed.