

# Worker Attraction Campaign Grant (JobMaker Booster Scheme 2)

## Terms and Conditions

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# 1. Program Parameters

## 1.1. Introduction

The Worker Attraction Campaign Grant ('Program') is part of the Northern Territory Government's Jobs First Plan (JobMaker Booster – Scheme 2 for peak industry bodies) and is designed to help small businesses address Territory-specific hiring needs.

## 1.2. Program Objective

From 15 January 2021, applications will open for a new grant program for NT based Peak Industry Bodies to deliver interstate marketing campaigns that target workers to come to the Territory to fill needed jobs or skills that are listed on the Northern Territory's Skills and Occupations Priority List (NTSOPL). The Worker Attraction Campaign Grant offers NT Peak Industry Bodies matched funding up to \$100 000.

# 2. Program Definitions

**Assessment Panel** means a group of Department representatives and/or independent industry members nominated by the Department who critically assess applications based on predetermined criteria and decide which Eligible Peak Industry Bodies will receive Grant Funding under the Program.

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

**Eligible Peak Industry Body** is a legal entity that:

- holds a current valid Australian Business Number; and
- is a governing body of the relevant industry with strong links to related industry sectors; and
- is a recognised member based association representing specific industry; and
- currently operates in the NT with at least one full time employee, and has operated in the NT for a minimum 12 months; and
- has a significant permanent presence – maintains an office, facilities or other permanent base in the Northern Territory; and
- has successfully registered with the Department to be part of the Program - successful registration is dependent upon satisfactory results of due diligence the Department may conduct in its absolute discretion (see Clause 8); and
- is not insolvent as at the date of the application being made.

**Grant or Funding** means a monetary contribution towards the Eligible Campaign provided to the Eligible Peak Industry Body by the Department for the purposes outlined in the terms and conditions. Grants will be made on the basis of co-contribution matching the applicant's contribution dollar for dollar up to the Maximum Grant Amount and will be made on the terms of a formal agreement made between successful applicants and the Northern Territory Government

**Maximum Grant Amount** means the sum of \$100 000 (exclusive of GST).

**Northern Territory Skills and Occupation Priority List (NTSOPL)** is a list of identified jobs in high demand or that are critical to the local economy and industry. The list can be found on the [Northern Territory Government website](#)<sup>1</sup>.

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<sup>1</sup> <https://nt.gov.au/employ/for-employers-in-nt/skills-existing-and-needed/hard-to-fill-jobs-in-the-nt>

**Eligible Campaigns** are marketing activities that are intended to attract skilled or semi-skilled workers whose occupations are listed on the NTSOPL. Eligible Campaigns must be consistent with the Program's policy intent and objective. Further, Eligible Campaigns must demonstrate value for money consistent with the purpose of being beneficial to the community.

**Excluded Campaigns** are:

- campaigns or marketing activities that are not in line with the Program's objective of focusing on addressing the Territory-specific hiring needs; or
- campaigns that have commenced before the grant has been approved; or
- general marketing activities for business promotion; or
- campaign that target occupations NOT listed on NTSOPL; or
- campaigns or works for which applicants have already received a grant or funding under any other program by the Local, Territory, State or Commonwealth Governments.

**Funding Agreement** is the contract setting out the conditions under which the funding is awarded to the Recipient to conduct the Campaign that will be offered to successful peak bodies.

**Program** means the Worker Attraction Campaign Grant described in these Terms and Conditions.

**Related** means:

- (a) in relation to a company:
  - i. a director or member of the body or of a related body corporate; or
  - ii. a Relative of a director or member; or
  - iii. a Relative of the spouse of a director or member; or
  - iv. an officer or employee of the company or a Relative of an officer or employee of the company.
- (b) in relation to any other kind of legal entity,
  - i. a proprietor, partner, member of the board or any other person exercising control (whether on their own or jointly with others) over the management of the business; or
  - ii. a Relative of any person falling within (b)i. above; or
  - iii. an officer or employee of the business or a Relative of an officer or employee of the business
- (c) in relation to a person, means a Relative of that person.

**Relative** means a spouse, parent or child of the relevant person.

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

- operating in the Northern Territory - the enterprise is currently engaged in productive activities out of premises within the Northern Territory (i.e., production of goods or delivery of services); and
- has a significant permanent presence - the enterprise maintains an office, manufacturing facilities or other permanent base within the Northern Territory; and
- employs Northern Territory residents.

### 3. Program Participation

The Program is open to Eligible Peak Industry Bodies to develop a worker attraction campaign specific to their sector.

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.

Applications will be accepted from Eligible Peak Industry Bodies.

Joint applications will be considered; however the primary applicant must be a Territory Enterprise.

If a joint application is made, the primary applicant must manage and lead the campaign and a legal arrangement between all parties must be in place prior to the application being submitted.

## 4. Eligibility, Application and Assessment

### 4.1. Eligibility

To participate in the Program, an applicant must be an Eligible Peak Industry Body and apply for the funding to conduct an Eligible Campaign.

### 4.2. Time Limits on Eligible Campaigns

Eligible Campaigns must only commence after an application has been approved by the Department and must be completed by 30 November 2021.

### 4.3. Application Process

Eligible Peak Industry Bodies will be invited to apply for the Grant from 9:00am on 15 January 2021 to 5:00pm on 12 February 2021.

As part of their application, Eligible Peak Industry Bodies must submit:

- a) A detailed campaign proposal including the following key information;
  - I. theme of the campaign
  - II. target audience - Identify target occupations on the NTSOPL and the target occupations must be relevant to the industry the peak industry bodies represent
  - III. campaign creative examples
  - IV. campaign location
  - V. campaign format
  - VI. timeline
  - VII. delivery channels
- b) A detailed budget specifying all proposed expenditure and total cost for the campaign;
- c) Requested Grant amount (funding will be issued on a matching 50:50 co-contribution up to the Maximum Grant Amount);
- d) If the applicant intends to use third party contractors to deliver services to it for the Campaign, quotations from all such third parties must be submitted with the application. Quotation/s submitted must at least include the following key items;
  - I. business name and ABN
  - II. quotation reference number and date
  - III. detailed description of services to be provided
  - IV. total price (showing any GST component/s separately)
  - V. an estimate of the start and completion dates
  - VI. be addressed to the applicant making reference to this Program
  - VII. any other relevant elements or information.
- e) Evidence that local Territory Enterprises will be used to deliver any works or procurement of goods and services that the applicant will not be carrying out itself;

- f) Undertaking to survey businesses prior, upon completion and 6 months after campaign completion; and
- g) An evaluation plan, including key metrics to measure success.

Eligible Peak Industry Bodies should note that they cannot obtain Grant Funding in respect of quotes for works or services from businesses which are Related to or a Relative of the Eligible Peak Industry Body.

To apply, Eligible Peak Industry Bodies must visit <https://businessrecovery.nt.gov.au> and follow the links to fill out the online forms and upload the required supporting documentation, as per below steps:

1. follow the link to start a new online application
2. fill out the required details
3. upload required documentation
4. make the declaration
5. submit application.

#### 4.4. Assessment of Applications

Applications will be assessed on merit using the information provided in relation to the requirements specified under Section 4.3 Application Process. Funding will be made to successful applicants, which will be determined entirely in the discretion of the Department having regard to Assessment Panel recommendations. Successful applicants will have 30 days in which to accept or decline a formal written offer of a formal funding agreement with the Northern Territory Government.

The NT Government is committed to the development of business and industry in the NT and supporting Territory Enterprises. Applications using services from Territory Enterprises will be regarded highly by the panel.

Further discussion with applicants may be required to confirm information provided in the application form and/ or supporting documents. The Department will conduct business checks and other due diligence as part of the application assessment, including consulting with other government agencies or bodies, other organisations and/ or relevant individuals, in order to substantiate any claims or statements made in the application, to ascertain the viability and relevance of the proposed campaign, or to otherwise assist in the assessment of the application.

#### 4.5. No Use of Related entities

An applicant must not submit a quotation from a third party that it is Related to, and it must not use services from a third party that it is Related to using the Funding if it changes or adds service provider/s in the course of the currency of the funding agreement

An applicant must provide to the Department promptly upon request, any further documentation or submission the Department may require in relation to a quotation, or a quoting business and its relationship to an applicant.

### 5. Funding Agreements

A legally binding funding agreement will be entered into between the Northern Territory Government and successful applicants.

Funding will be paid directly to the successful applicants. Payments will be distributed as follows, unless otherwise agreed:

1. 80% upfront on signing of Funding Agreement
2. 20% on receipt of final report, including evaluation of Program

Any requests for variations to successful campaigns must be submitted in writing for the Department to consider.

The agreement will provide for (among other things):

- a) the rights and obligations of the Northern Territory Government and the funding recipient;
- b) agreed campaign plan and budget as per application;
- c) reporting and funding acquittal requirements;
- d) requirements for recognising NT Government support and promotional obligations arising from receipt of funding. Applicants should note details of successful funding recipients will be advertised publicly and recorded in the Department's annual report; and
- e) professional indemnity insurance requirements.

## 5.1. Reporting Requirements

Successful applicants will be required to provide:

- a) progress reports, including key metrics to track progress, which coincide with payments;
- b) where applicable, details of successful engagement or positive outcomes for promotional purposes;
- c) expenditure breakdown (money spent) including copies of invoices paid to third party businesses that the applicant may use in the course of using the funding; and
- d) any other information required by the Department under the terms of the funding agreement.

## 6. Publication, Promotion and Intellectual Property

Applicants should note that Grants provided to Recipients will become a matter of public record.

The Department retains the right to publicise information, including good practice models, case studies, data and resources developed as a result of the expenditure of funding. No personal information of an individual will be published.

Where relevant, the funding agreement will provide that intellectual property developed using grant funds will be owned by the Northern Territory Government and provide for rights of the Northern Territory Government to licence the use of it to third parties.

The successful applicant must acknowledge the Northern Territory Government's contribution in all promotional and advertising material and other documents and communications in a manner that is commensurate with the funding.

## 7. Program Changes

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
- accept or reject any application for participation in the Program in its absolute discretion

- decide in its discretion whether a Peak Industry Body does or does not meet the intent of the eligibility criteria for participation (notwithstanding that it may meet the requirements of the relevant definition)
- remove a Peak Industry Body from further participation in the Program where the Department has reasonably determined that the Peak Industry Body is no longer an Eligible Peak Industry Body, is in breach of these terms and conditions or is otherwise not complying with the objective, intent or expectation of the Program
- cease the Program at any time should the Northern Territory Government policy change

## 8. 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. Such enquiries may include (but are not necessarily limited to) company, association and business name searches on an applicant or any third party business it proposes to use, searches of the courts and / or the trustee in bankruptcy and enquiries of private businesses or institutions as the Department sees fit; and
- (b) that it is a condition of participation in the Program that participants comply with all relevant laws, including the *Payroll Tax Act 2009* and *Taxation Administration Act 2007* and, without limitation, that Businesses 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.

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.

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

## 9. 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](http://www.infocomm.nt.gov.au/privacy/information-privacy-principles) or by contacting the Information Commissioner Northern Territory on 1800 005 610.

Participants should read the Department’s [Privacy Policy<sup>2</sup>](#) and by providing information to the Department under the Program, participants 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:

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<sup>2</sup> <https://business.nt.gov.au/business/publications/policies/privacy-policy>



- (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.

By applying to participate in the Program, you also consent to a tax officer of the Territory Revenue Office disclosing to the Department confidential information obtained in the administration of a taxation law relating to your identity and personal or financial affairs, including any tax defaults or overdue returns.

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.

## 10. Release and Indemnity

By applying to participate and as a continuing obligation throughout any period of participation in the Program, the participant declares and warrants 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, the conduct of any works, activities or otherwise.

## 11. Disputes and Complaints

The Department is not responsible for resolving any disputes between any participants and third parties (including quoting businesses). Participants must conduct their own due diligence with regards to any services engaged.

Consumer Affairs can be contacted on 1800 019 319 or go to [www.consumeraffairs.nt.gov.au](http://www.consumeraffairs.nt.gov.au) to find information on [dispute resolution](#)<sup>3</sup>.

The Department gives no warranty that participants will be able to resolve disputes. If a dispute cannot be resolved in these forums the parties to the dispute will need to take independent legal advice.

For disputes and complaints relating to applications for a Grant, the Eligible Peak Industry Body can [contact the Department](#)<sup>4</sup>.

## 12. Program End

Eligible Peak Industry Bodies will be able to apply from 15 January 2021 to 12 February 2021. All Eligible Campaigns must be completed no later than 30 November 2021.

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<sup>3</sup> <http://www.consumeraffairs.nt.gov.au/ForConsumers/ComplaintsAndDisputes/Pages/default.aspx>

<sup>4</sup> <https://businessrecovery.nt.gov.au/contacts>