

Not-for-Profit Tourism Attraction 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 Not-for-Profit Tourism Attraction Survival Payment program ('Program') is established under the NT Government's Jobs First Plan to support Eligible Not-for-Profit Organisations significantly impacted by COVID-19.

Once only payments (Grants) of between \$2000 and \$20,000 will be offered to support Eligible Organisations that have experienced considerable reductions in turnover and need some support to get through the ongoing COVID-19 impacts and the traditionally low tourist season.

2. Program Definitions

Audit means the Department's right to check original documents and undertake inspections of the books of account of an Eligible Not-for-Profits upon giving the Eligible Not-for-Profits 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 Not-for-Profit.

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

An Eligible Not-for-Profit Organisation or Organisation:

- is an established not for profit trading tourism attraction physically located in the Northern Territory; and
- was incorporated under a law of the Commonwealth, a State or the Northern Territory prior to 1 October 2019; and
- is actively trading and holds a valid Australian Business Number as at 1 October 2019; and
- can demonstrate a minimum of 50% reduction in Turnover experienced in October 2020 when compared to its documented trading figures in October 2019; and
- can provide valid conclusive evidence of its number of employees and its financial situation; and
- is not an Excluded Recipient.

Excluded Recipients are organisations that are government owned or controlled bodies, statutory corporations, local government owned or controlled bodies, and/ or organisations which operate any other business undertaking or function in or to the community other than directly related to it being a tourism attraction. Festivals and events run by Eligible Not-For-Profit Organisations are also excluded from participation in the Program.

FTE means a Full Time Equivalent Employee of the Eligible Not for Profit Organisation.

Grant means a once-off cash payment as described in Clause 3.3. Organisations should note they can apply only once for a Grant.

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 applicants 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 an applicant must be an Eligible Not-for-Profit Organisation.

3.2. Application Process

In order to apply, businesses 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 the Grant an Eligible Not for Profit Organisation is able to receive is determined by the number of employees actively working in the business:

- \$2000 for Organisations with one FTE
- \$5000 for Organisations with 2 to 5 FTEs;
- \$10 000 for Organisations with 6 to 19 FTEs;
- \$20 000 for Organisations 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.

Participants should read the Department's [Privacy Policy¹](#) 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:

- (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 applicants 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, 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.

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

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 applicant, 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 Not-for-Profit Tourism Attraction Survival Payment is a result of a decision by the NT Government to provide one-off funding to assist Eligible Not-for-Profit Organisations.

The Program commences on 15 December 2020 and will close once all funding is committed.