

Extraordinary Disaster Assistance Recovery Grants Guidelines Small Businesses

Southern Queensland Flooding, 6 – 20 May 2022

1. About the program

The objective of this assistance measure, provided under the *Disaster Recovery Funding Arrangements*, is to support communities to recover after an *eligible disaster*.

The Extraordinary Disaster Assistance Recovery Grants Scheme (Exceptional) provides an **exceptional circumstances grant** to *small business owners* to help pay for the costs of clean-up and *reinstatement* of *small businesses* that have suffered direct damage as a result of an *eligible disaster*.

2. Available funding

2.1 The maximum **exceptional circumstances grant** amount is **\$50,000**.

- a) An **initial amount of up to \$15,000** is available (an **initial claim**). To support an initial claim evidence of the direct damage such as photographs, quotations, tax invoices and official receipts is required.
- b) A **subsequent amount of up to \$35,000** is available (a **subsequent claim**). To support subsequent claims full *evidence of payment* is required. (This evidence must also include any amounts claimed under the initial claim if not already provided).

Note: prior to the Closing Day, multiple applications can be made up to the maximum amount available under the exceptional circumstances grant.

3. How funding may be used

3.1 Grants are provided to help pay for the costs of the clean-up and *reinstatement* of the *small business*. This includes:

- a) engaging a tradesperson to conduct a safety inspection of damage to a property, premises or equipment;
- b) hiring or leasing equipment or materials to clean a property, premises or equipment;
- c) purchasing equipment or materials to clean a property, premises or equipment if QRIDA is satisfied:
 - i. the equipment or materials are not ordinarily available for hire or lease (Examples - cleaning chemicals, gloves, masks, brooms, mops, shovels or buckets); or
 - ii. the equipment or the materials are reasonably necessary for cleaning the property, premises or equipment and are not readily available for hire or lease. (In this instance assistance towards purchase is available to the assessed hire or lease cost of the item being purchased).
- d) employing a person to clean a property, premises or equipment if –
 - i. the cost would not ordinarily have been incurred in the absence of the *eligible disaster*; or



- ii. the cost exceeds the cost of employing a person to clean the property, premises or equipment that would ordinarily have been incurred in the absence of the *eligible disaster*;
- e) removing and disposing of debris or damaged goods and material;
- f) repairing a building or repairing or replacing fittings in a building, if the repair or replacement is essential for resuming operation of the *small business*. (Repairs to a building do not include a building that is used as a dwelling, unless it is used for carrying on the *small business*. Also refer to Section 3.2 in relation to repairs to buildings);
- g) purchasing, hiring or leasing equipment or materials that are essential for immediately resuming operation of the *small business*;
- h) any of the following –
 - i. replacing lost or damaged stock if the replacement is essential for immediately resuming operation of the *small business*;
 - ii. leasing temporary premises for the purpose of resuming operation of the *small business*.

3.2 An applicant is **not eligible** for assistance under the scheme:

- a) for repairs to a building the applicant lets to a person for residential or commercial purposes, unless the applicant lets the property in the course of operating a business (superannuation funds and personal investment vehicles are not regarded as businesses); or
- b) if the *small business* is entitled to receive an amount under a policy of insurance for the relevant costs claimed; or
- c) for loss of income as a result of the *eligible disaster*.

4. Eligibility criteria

4.1 To be eligible for an **exceptional circumstances grant**, the applicant must:

- a) be a *small business owner*;
- b) hold an Australian Business Number (ABN) and have held that ABN at the time of the *eligible disaster*;
- c) own a *small business* located in the *defined disaster area* for the *eligible disaster* that has suffered direct damage as a result of the *eligible disaster*;
- d) have been engaged in carrying on the *small business* when affected by the *eligible disaster*;
- e) be primarily responsible for meeting the costs claimed in the application; and
- f) intend to re-establish the *small business* in the *defined disaster area* for the *eligible disaster*.

4.2 An applicant may also be eligible for an **exceptional circumstances grant** if both of the following apply:

- a) the *small business* is located outside the *defined disaster area* for the *eligible disaster* but is operated at least sometimes on a regular basis in the area; and
- b) plant or equipment of the *small business* situated in the *defined disaster area* has been damaged as a result of the *eligible disaster*.

5. Eligible separate business

5.1 Applicants who operate more than one *small business*, for example under a single ABN at separate locations, may apply for assistance for each *eligible separate business* up to the maximum amount of assistance available for the relevant *defined disaster area* and determined by the establishment notice.

5.2 When determining an application on this basis QRIDA may consider (but is not limited to):

- a) the staffing arrangement of the separate business;
- b) whether the separate business has its own plant, equipment or stock;
- c) the accounting and insurance arrangements of the separate business;
- d) whether the separate business operates under its own trading name;
- e) the commercial viability and autonomy of each business.

6. How to apply

- 6.1** To be considered for an Extraordinary Disaster Assistance Recovery Grant please submit a completed application form, accompanied by the documentation stated on the application form before the application *closing day*. This includes a rates notice/lease agreement, 5-10 photographs of the damage, evidence of payment (or quotes when applying for the initial grant amount), and details of any insurance. The same application form can be used when putting in both an initial claim and a subsequent claim.
- 6.2** Application forms and related information can be accessed at www.qrida.qld.gov.au.
- 6.3** Complete applications are assessed in order of receipt and QRIDA may request further information to help assess an application.

7. Terms and conditions

- 7.1** Applicants are able to apply for assistance under the scheme in **only one** of the following capacities:
- a) Primary producer; or
 - b) *Small business owner*; or
 - c) Non-profit organisation.
- 7.2** Applicants must retain all tax invoices, *official receipts*, bank statements, quotations or other similar records for assistance received under the scheme until one year after the *closing day* for applications for the *eligible disaster*.
- 7.3** Applicants must consent to QRIDA conducting an audit of quotations, tax invoices, *official receipts*, bank statements or other similar records to verify the amounts given under the scheme have been used in accordance with the claim. Penalties may apply for false or misleading information.
- 7.4** Applicants must provide authorisation for QRIDA to contact their insurance company to confirm or verify entitlements or the outcome of any claims made in relation to the *eligible disaster*.

8. Conflicts of interest

- 8.1** A conflict of interest may arise due to a business dealing with QRIDA, if the applicant's private interests' conflict with their obligations under the agreement. Conflicts of interest could affect the awarding or performance of the applicant's agreement. A conflict of interest can be:
- a) real (or actual);
 - b) apparent (or perceived); or
 - c) potential.
- 8.2** QRIDA will ask the applicant to declare, as part of the application, any business dealings that may be considered an actual, perceived or potential conflict of interest or that, to the best of the applicant's knowledge, there is no conflict of interest. If the applicant later identifies that there is an actual, apparent or potential conflict of interest or that one might arise in relation to the agreement, the applicant must inform QRIDA in writing immediately.

9. Fraud

- 9.1** QRIDA takes fraud and corruption seriously. Suspected fraud will be referred to Queensland Police Service (QPS) and/or the Crime and Corruption Commission (CCC).
- 9.2** Fraud and corruption is a criminal offence under Sections 408C, 408D and 87 of the Criminal Code 1899 (Qld). For corporations, directors and company officials, Sections 596 and 184 of the Australian Corporations Act 2001 (Cth) will also apply.
- 9.3** Providing false and misleading information or documents in the QRIDA application process is an offence. Penalties may apply under Sections 41 and 42 of the Rural and Regional Adjustment Act 1994.
- 9.4** By signing the application form, you acknowledge that the information you provide is true and accurate, and agree to be bound by the scheme's guidelines and provisions.
- 9.5** QRIDA reserves the right to pursue and recover funding provided under fraudulent and dishonest circumstance.

10. Privacy

- 10.1** QRIDA's Privacy Policy, available at: www.qrida.qld.gov.au/privacy, sets out general information on how QRIDA collects uses, and discloses individuals' personal information.
- 10.2** The application form for this Scheme contains specific information on how personal information will be collected, used and disclosed.

11. Defined disaster areas

<i>Eligible disaster</i>	<i>Defined disaster areas</i>	<i>Application closing day</i>
Southern Queensland Flooding, 6 – 20 May 2022	- Balonne Shire Council - Gympie Regional Council - Lockyer Valley Regional Council - Moreton Bay Regional Council - Somerset Regional Council - Southern Downs Regional Council - Toowoomba Regional Council - Western Downs Regional Council	1 September 2023

12. More information

For more information on the exceptional circumstances grant contact us on **Freecall 1800 623 946** or email contact_us@qrida.qld.gov.au.

13. Definitions

Closing day is the day stated in Section 9 by which applications must be received by QRIDA.

Defined disaster area for an *eligible disaster* means the area that the appropriate Minister has defined for the purpose of activating the *Disaster Recovery Funding Arrangements*. These are published on QRIDA's website (also see section 9 above).

Disaster Recovery Funding Arrangements means the funding arrangements as agreed between the Commonwealth and the State for providing financial assistance to communities affected by an *eligible disaster* (available on the Australian Government Disaster Assist website).

Eligible disaster means a bushfire, cyclone, flood, earthquake, storm surge, landslide, meteorite strike, tornado, tsunami, storm – including hail, rain and/or wind event or terrorist act.

Eligible separate business means a separate business that would be a commercially viable and autonomous business if the other separate businesses operated by the eligible entity ceased to operate.

Evidence of payment means:

- a) tax invoice(s) showing full details of the goods or services provided. The goods and services described on each invoice must be clearly identifiable having been paid by the applicant and being related to damage from the *eligible disaster*; and
- b) evidence of payment for these tax invoices. A copy must be provided of an applicant's bank transfer(s) and/or bank statement(s) with any relevant *official receipt(s)* from suppliers or contractors.

Full-time employee means an individual who ordinarily works for at least 35 hours each week for the business.

Official receipt means a receipt including the name and address and ABN (if applicable) of the entity that issued the receipt and a description of each item to which the receipt relates.

Public company means a *public company* within the meaning of the Corporations Act.

Reinstatement means the carrying out of activities that are necessary to help the *Small Business* continue or resume production at a similar level as before the *eligible disaster*.

Small Business is a business that:

- a) holds an Australian Business Number (ABN);
- b) is not a *public company*, charitable business (charitable business means a business that does not operate to make a profit) or a body corporate under the *Body Corporate and Community Management Act 1997*; and
- c) employs fewer than 20 *full-time employees* (or fewer than 20 equivalent *full-time employees* – equivalent *full-time employees* can be determined using the following formula:

$$E = F + \frac{P}{35}$$

E means the number of equivalent *full-time, employees* of the business.

F means the number of *full-time employees* of the business.

P means the total number of hours worked each week by employees who do not work full-time for the business.

- d) if operated by a sole trader and the business has no employees other than the sole owner, the sole owner must derive the majority of their income from the business unless the applicant can satisfy QRIDA that the sole trader, immediately before an eligible disaster, derived the majority of income from the business and that the majority of income from the business and that the majority of the sole trader's income would have come from the *small business* again, were it not for the *eligible disaster*.
- e) is a *small business in development*.

Small business in development means an enterprise that is being developed by an individual and in the opinion of QRIDA will be developed into a *small business* that will be carried on by the individual as a sole trader.

Small business owner is a sole trader, partnership, private company or trust that carries on a *small business*