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# NSW Small Business and Non-Profit Organisation Grant – Terms and Conditions

Under the NSW Small Business Grant and Non-profit Organisation Grant, small business owners and non-profit organisations in NSW directly affected by the 2019-2020 bushfire disaster events (eligible disaster events commencing August 2019) may be eligible to receive a grant from the Australian Government.

The small business grant and non-profit organisation grant is intended for small business and non-profit organisations to help pay for the costs of clean-up and reinstatement of small business or non-profit organisations that have suffered direct damage as a result of the eligible disaster.

The Australian Government will help cover the cost of the payments. The NSW Government will administer the payments on the following terms and conditions set by the Australian Government.

## Definitions

Definitions can be found in the grant guidelines published on the Service NSW website.

- [Definitions of Small Business and Small Business Grant](#) (PDF)
- [Definitions of Non-profit Organisation and Non-profit Organisation Grant](#) (PDF)

These Terms and Conditions together with the Grant Guidelines apply to Applicants for the grant. By applying, you agree to be bound by these Terms and Conditions, the Grant Guidelines and the Service NSW Privacy Policy and Privacy Statement (as applicable).

## Eligibility Criteria

To be eligible to apply for financial support under the Program, you must meet the following criteria:

### Small Business Grant:

- be a small business owner
- hold an Australian Business Number (ABN) and have held that ABN at the time of the eligible disaster
- 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
- have been engaged in carrying on the small business when affected by the eligible disaster
- be primarily responsible for meeting the costs claimed in the application

- be intending to re-establish the small business in the defined disaster area for the eligible disaster.

### **Applicants may also be eligible for a small business grant if:**

- the small business is located outside the defined disaster area for the eligible disaster but operates part-time or on a regular basis within the defined disaster area and that business' plant and/or equipment were damaged
- the business employs 20 or more full time employees but has a turnover of less than \$50 million
- the applicant has more than one small business, for example under a single ABN at separate locations. The applicant may apply for assistance for each eligible separate business up to the maximum amount of assistance available.

### **Non-profit Organisation**

- be a non-profit organisation
- be registered with Australian Charities and Not-for-profits Commission (ACNC) or an equivalent State regulatory body and have held that registration at the time of the eligible disaster
- be located in the defined disaster area for the eligible disaster and that has suffered direct damage as a result of the eligible disaster
- be primarily responsible for meeting the costs claimed in the application
- be intending to re-establish the non-profit organisation in the defined disaster area for the eligible disaster.

### **Applicants may also be eligible for a non-profit grant if:**

- the non-profit organisation is located outside the defined disaster area for the eligible disaster but operates part-time or on a regular basis within the defined disaster area and that non-profit organisation's plant and/or equipment were damaged.

## **Evidence**

- Evidence of direct damage associated with the eligible disaster must be provided as follows:
  - a list of bushfire-related damage, supported by photographic evidence of the direct damage, or
  - other appropriate evidence to prove financial impact if/when the damage is unable to be photographed or receipts lost due to the extent of the disaster event.
- If you are seeking any amount of up to \$25,000 to support your claim, you will need to provide evidence including but not limited to:
  - an itemised list of the damaged/destroyed items that you are seeking to replace/repair, **or**
  - the proposed clean-up activity to be undertaken.
  - evidence of bushfire-related damage for each item, which may include:
    - photographs of the damaged/destroyed items and/or photographs of the items prior to the bushfire, **or**
    - other appropriate evidence.
  - Australian Business Number and/or Australian Company Number

- If you are seeking an amount of \$25,000 or over to support your claim, you will need to provide evidence including but not limited to:
  - an itemised list of the damaged/destroyed items, **and/or** the clean-up activity undertaken/proposed
  - evidence of bushfire-related damage for each item, which may include:
    - photographs of the damaged/destroyed items and/or photographs of the items prior to the bushfire.
  - official invoices for proposed items/services required. (This will be followed up in 4 weeks to obtain evidence of proposed purchase/s)
  - official receipts of any replacement items or a service rendered for a clean-up activity (if applicable)
  - Australian Business Number and/or Australian Company Number.

## Conditions for Payment

- Applicants who satisfy the Eligibility Criteria will become eligible for payment for the small business grant or non-profit organisation grant.
- Grants are provided to help pay costs associated with clean up and reinstatement of the small business or non-profit organisation, according to the grant guidelines.
- Grants for small businesses and non-profit organisations are subject to an overall cap of \$50,000.
- Payment will be made via EFT to the Applicant's nominated business bank account.

## Verification

- Applicants must be authorised to make this application for the small business or non-profit organisation.
- The information applicants provide must be true and may be audited or inspected at any time.
- By making an application, applicants acknowledge that providing false or misleading information to a public authority, or hiding facts, may be a fraudulent act under the Crimes Act 1900 and subject to criminal penalties. Any overpayment made as a result of a fraudulent or incorrect claim may be recovered.
- The relevant agency may request additional information or clarification from you or anyone else, subject to any applicable legal requirements. Verification may include, without limitation, any or all of the following:
  - requesting the provision of additional information
  - confirmation that the Eligibility Criteria and Conditions for Payment have been met.
- 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.
- Applicants must consent to the relevant agency 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.
- Applicants must provide authorisation for the relevant agency to contact their insurance company to confirm or verify entitlements or the outcome of any claims made in relation to the eligible disaster.

## Closure, suspension or variation of the Program

- The Department reserves the right, at any time, to:
  - vary these Terms and Conditions, the Eligibility Criteria, Conditions and process for application
  - suspend the operation of, or close, the application process
  - alter or change the opening and closing date for applications
  - reduce or extend the application period.
- Any changes to these Terms and Conditions or action taken to suspend or end the Program will be notified on Service NSW's website.

## General

- No rights under these Terms and Conditions will be waived except by notice in writing signed by both you and the Department.
- The Program and all related documents are governed by the laws of the State of New South Wales.
- Where the Department has issued a notice to the email address provided by the Applicant, the notification will be deemed to have been received by the Applicant immediately upon receipt of electronic transmission confirmation.
- Applicants are responsible for understanding the taxation implications of any assistance granted.