



Queensland

Rural and Regional Adjustment (COVID-19 Daintree Area Scheme) Amendment Regulation 2020

Subordinate Legislation 2020 No. 198

made under the

Rural and Regional Adjustment Act 1994

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1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (COVID-19 Daintree Area Scheme) Amendment Regulation 2020*.

2 Regulation amended

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

3 Amendment of s 3 (Approval of schemes—Act, s 11)

Section 3(1), ‘28 and 30 to’—
omit.

4 Insertion of new sch 29

After schedule 28—
insert—

Schedule 29 COVID-19 Daintree Area Scheme

section 3(1)

Part 1 Preliminary

1 Objective of scheme

(1) The objective of the scheme is to support the community in the Daintree area in response to the COVID-19 emergency.

(2) In this section—

COVID-19 emergency means the declared public health emergency under the *Public Health Act 2005*, section 319(2) for COVID-19 declared on

29 January 2020, as extended and further extended under that Act.

2 Purpose of assistance

The purpose of assistance under the scheme is to benefit the community in the Daintree area by giving financial assistance to eligible entities operating from off-grid premises in the area.

3 Definitions for schedule

In this schedule—

applicant means a person applying for assistance under the scheme.

Daintree area means the area bounded by a line starting at the point on the northern bank of the Daintree River and the low-water mark of the Pacific Ocean then running progressively—

- (a) generally northerly along the low-water mark of the Pacific Ocean to the south bank of the Bloomfield River; and
- (b) generally southerly along the western border of the Cape Tribulation section of the Daintree National Park to the intersection with the boundary of the Wet Tropics of Queensland World Heritage Area; and
- (c) generally southerly to the point on the northern bank of the Daintree River directly opposite Kilkeary Point; and
- (d) generally easterly along the northern bank of the Daintree River to the starting point.

eligible entity means—

- (a) a small business or non-profit organisation that is eligible for assistance under section 8; or

- (b) a household that is eligible for assistance under section 9.

household means 1 or more individuals who occupy the same premises as a usual place of residence.

non-profit organisation means a charity or other not-for-profit entity that is incorporated under a law of the Commonwealth or a State.

off-grid premises see section 4.

owner, of a small business, means a sole trader, partnership, private company or trust that carries on the business.

scheme means the scheme set out in this schedule.

small business see section 5.

4 Meaning of **off-grid premises**

Premises are **off-grid premises** if—

- (a) the premises are not connected to the supply network under the *Electricity Act 1994*; and
- (b) the occupier of the premises is not a customer of an electricity entity for the premises under the *Electricity Act 1994*.

5 Meaning of **small business**

(1) A **small business** is a business—

- (a) for which an entity holds an Australian Business Number; and
- (b) in which are employed no more than—
- (i) 100 full-time employees; or
- (ii) if the business has part-time employees—100 equivalent full-time employees; and

mentioned in section 2.

7 Maximum amount of assistance

- (1) The maximum amount of assistance payable under the scheme for a household is \$200.
- (2) The maximum amount of assistance payable under the scheme for a small business or non-profit organisation for each off-grid premises at which the business or organisation is operated is \$500.

8 Eligibility criteria—small business or non-profit organisation

An applicant is eligible for assistance under the scheme if the authority is satisfied—

- (a) the applicant is—
 - (i) the owner of a small business; or
 - (ii) a non-profit organisation; and
- (b) the applicant is carrying on the small business or operations as a non-profit organisation from off-grid premises located within the Daintree area; and
- (c) the authority has not previously approved assistance under the scheme in relation to the off-grid premises.

9 Eligibility criteria—households

An applicant is eligible for assistance under the scheme if the authority is satisfied—

- (a) the applicant is a member of a household; and
- (b) the household occupies off-grid premises located within the Daintree area; and

- (c) the applicant has lived in the premises for at least 6 months immediately before applying for assistance under the scheme; and
- (d) the authority has not previously approved assistance under the scheme in relation to the off-grid premises—
 - (i) whether the applicant or another person applied for the assistance; or
 - (ii) whether the premises were occupied as a household or used to carry on a small business or operations as a non-profit organisation; and
- (e) the authority has not previously approved assistance under the scheme for the applicant as a member of a household occupying other off-grid premises.

10 Applications

- (1) An application for assistance under the scheme must—
 - (a) be made on the form approved by the authority; and
 - (b) be accompanied by the documents stated in the application form; and
 - (c) be given to the authority on or before 30 June 2021.
- (2) If the authority asks the applicant to provide further information to decide the application, the applicant must provide the information.

11 Deciding applications

- (1) The authority must consider, and decide to approve or refuse to approve, each application for assistance under the scheme.

- (2) The authority must consider applications in the order the applications are received by the authority.
- (3) However, for subsection (2), if the authority asks an applicant for further information under section 10(2), the applicant's application is taken to have been received when the authority receives the further information.
- (4) The authority may approve an application only if the authority's assistance funds for the scheme are sufficient to pay for the assistance.

ENDNOTES

- 1 Made by the Governor in Council on 10 September 2020.
- 2 Notified on the Queensland legislation website on 11 September 2020.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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