



Queensland

# **Rural and Regional Adjustment (Further Variation of COVID-19 Business Support Grants Scheme (August 2021)) Amendment Regulation 2021**

**Subordinate Legislation 2021 No. 146**

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 (Further Variation of COVID-19 Business Support Grants Scheme (August 2021)) Amendment Regulation 2021*.

**2 Regulation amended**

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

**3 Replacement of sch 37, s 1 (Objective of scheme)**

Schedule 37, section 1—

*omit, insert—*

**1 Objective of scheme**

The objective of the scheme is to provide assistance to small and medium-sized businesses and non-profit organisations, and large tourism and hospitality businesses and non-profit organisations, that—

- (a) have been affected by a lock down event; or
- (b) were trading in the border area on 31 July 2021 and have been affected by a border closure event.

**4 Amendment of sch 37, s 2 (Purpose of assistance)**

(1) Schedule 37, section 2(1)—

*omit, insert—*

- (1) The purpose of assistance under the scheme is to provide relief and support—
  - (a) for eligible entities in relation to a lock down event; and
  - (b) for eligible entities that were trading in the border area on 31 July 2021 and have been affected by a border closure event.

(2) Schedule 37, section 2(2), after ‘event’—

*insert—*

or border closure event

## 5 Amendment of sch 37, s 3 (Definitions for schedule)

(1) Schedule 37, section 3—

*insert—*

***border area*** means the area shown on a map, held by the department in which the *Jobs Queensland Act 2015* is administered, called ‘COVID-19 business support grants—border areas mapping’ dated 13 September 2021.

*Editor’s note—*

The maps are available on the authority’s website.

***border closure event*** means the imposition of restrictions under a COVID-19 border restrictions direction.

***COVID-19 border restrictions direction*** means—

- (a) the revoked public health direction called ‘Border Restrictions Direction (No. 35)’ made on 14 August 2021; or
- (b) the revoked public health direction called ‘Border Restrictions Direction (No. 36)’ made on 18 August 2021; or
- (c) the revoked public health direction called ‘Border Restrictions Direction (No. 37)’ made on 21 August 2021; or
- (d) the revoked public health direction called ‘Border Restrictions Direction (No. 38)’ made on 24 August 2021; or
- (e) the revoked public health direction called ‘Border Restrictions Direction (No. 39)’ made on 25 August 2021; or

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- (f) the revoked public health direction called ‘Border Restrictions Direction (No. 40)’ made on 4 September 2021; or
  - (g) the public health direction called ‘Border Restrictions Direction (No. 41)’ made on 13 September 2021; or
  - (h) another public health direction that—
    - (i) restricts the reasons for which a person may enter Queensland from an area within a postcode listed in schedule 3 of the revoked public health direction mentioned in paragraph (a); and
    - (ii) applies while all of the postcodes mentioned in subparagraph (i) are identified in a public health direction as a COVID-19 hotspot.
- (2) Schedule 37, section 3, definition *COVID-19 lock down direction*, paragraph (d), after ‘direction’—
- insert—*
- , other than a COVID-19 border restrictions direction,

## **6 Amendment of sch 37, s 5 (Meaning of *eligible business*)**

Schedule 37, section 5(2)(c), after ‘event’—

*insert—*

or border closure event

## **7 Replacement of sch 37, s 8 (Eligibility criteria)**

Schedule 37, section 8—

*omit, insert—*

### **8 Eligibility criteria**

- (1) For an applicant to be eligible to receive assistance under the scheme for an eligible entity,

the applicant must—

- (a) be—
    - (i) if the entity is an eligible business—an owner of the business; or
    - (ii) the eligible non-profit organisation; and
  - (b) demonstrate to the satisfaction of the authority—
    - (i) the matters mentioned in subsection (2) or (3); and
    - (ii) that the turnover of the eligible entity for the nominated 7-day period is at least 30% less than the entity's turnover for the comparison period.
- (2) For subsection (1)(b)(i), if the application for assistance relates to a lock down event, the matters are that during a nominated 7-day period, the eligible entity has—
- (a) been required to stop operating or limit its operations because of a lock down event; or
  - (b) otherwise been affected by a lock down event.
- (3) Also for subsection (1)(b)(i), if the application for assistance relates to a border closure event, the matters are that the eligible entity—
- (a) was trading in the border area on 31 July 2021; and
  - (b) has been affected by a border closure event during a nominated 7-day period.
- (4) However, an applicant is not eligible to receive assistance under the scheme for an eligible entity for which the applicant or any other person has received assistance under the scheme in relation to the same, or any other, lock down event or border closure event.

(5) In this section—

***comparison period***, in relation to a nominated 7-day period, means—

- (a) the period in 2019 comprising the same days as the nominated 7-day period; or

*Example for paragraph (a)—*

If the nominated 7-day period is 31 July to 6 August 2021, the comparison period would be 31 July to 6 August 2019.

- (b) if the authority considers the period mentioned in paragraph (a) is not indicative of the eligible entity's typical weekly turnover unaffected by a lock down event or border closure event—another period of 7 consecutive days the authority considers is comparable to the nominated 7-day period.

*Examples of circumstances in which paragraph (b) may apply—*

- the eligible entity was not operating during the period mentioned in paragraph (a)
- the eligible entity's turnover during the period mentioned in paragraph (a) was affected by a significant event

***nominated 7-day period*** means a period of any 7 consecutive days—

- (a) that is nominated by the applicant; and
- (b) at least 1 full day of which is included in the period of the lock down event or border closure event to which the application for assistance relates.

ENDNOTES

- 1 Made by the Governor in Council on 16 September 2021.
- 2 Notified on the Queensland legislation website on 16 September 2021.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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