

Rural and Regional Adjustment (Tourism Business Professional Advice Rebate Scheme) Amendment Regulation 2021

Explanatory Notes for SL 2021 No. 69

made under the

Rural and Regional Adjustment Act 1994

General Outline

Short title

Rural and Regional Adjustment (Tourism Business Professional Advice Rebate Scheme) Amendment Regulation 2021

Authorising law

Sections 3, 10, 11 and 44 of the *Rural and Regional Adjustment Act 1994* (the Act).

Policy objectives and the reasons for them

The public health response to the COVID-19 pandemic, including travel restrictions and public health directions, has and continues to result in a loss of income for tourism businesses in Queensland.

In response to this, the Queensland Government announced a \$2 million Queensland Tourism Business Counselling Service (the Counselling Service) to help businesses in a tourism industry that have been financially impacted as a result of COVID-19. The Counselling Service comprises three stages. Stage one is a free Tourism Business Health Check, which enables businesses in a tourism industry to quickly assess their risk level online. Upon completion, businesses in a tourism industry receive a personalised report, which may include referral to a free Tourism Business Financial Counsellor or COVID-19 Small Business Financial Counsellor, which is Stage 2 of the Counselling Service.

Upon meeting with a Stage 2 Counsellor, a business in a tourism industry experiencing considerable financial stress may be eligible to receive the Tourism Business Professional Advice Rebate for additional professional advice on financial, legal and/or human resources matters. The Tourism Business Professional Advice Rebate is Stage 3 of the Counselling Service.

The main objective of the subordinate legislation is to implement Stage 3 of the Counselling Service to enable eligible businesses in a tourism industry to access the

Tourism Business Professional Advice Rebate to offset the cost of obtaining eligible professional advice.

Achievement of policy objectives

The subordinate legislation achieves its objective by establishing Stage 3 as an approved assistance scheme under the Act. This enables the Queensland Rural and Industry Development Authority (QRIDA) to administer the scheme, as QRIDA can only provide financial assistance under an approved assistance scheme prescribed by regulation under the Act.

The Tourism Business Professional Advice Rebate Scheme (the Rebate Scheme) assists eligible businesses in a tourism industry with a rebate to offset the cost of obtaining professional financial, legal and/or human resources advice. The rebate will cover 50 per cent of the costs, up to a maximum of \$2,500 per applicant (excluding GST).

To be an eligible business under the Rebate Scheme, the owner of the business must satisfy QRIDA that:

- he or she holds a valid Australian Business Number (ABN) and has continuously held the same ABN for the business since 1 February 2020;
- the business is and has been registered for GST since 1 February 2020;
- the business has its headquarters in Queensland and primarily operates in a tourism industry in Queensland;
- the business primarily operated for the domestic or international tourism market before 1 February 2020;
- on 1 February 2020, the business had at least one, but not more than 199, employees or equivalent full-time employees;
- the business received a jobkeeper payment each fortnight between 1 September 2020 and 28 March 2021 or the 2020 annual turnover for the business was at least 30 per cent less than the annual turnover for the business in 2019; and
- the business received a Tourism Business Health Check Report under Stage 1 of the Counselling Service and received a referral form to receive eligible professional advice under Stage 2 of the Counselling Service.

Consistency with policy objectives of authorising law

The subordinate legislation is consistent with the policy objectives of the Act. The Act establishes QRIDA to administer assistance schemes that foster the development of a more productive and sustainable rural and regional sector in Queensland. QRIDA may also support the State's economy by administering approved assistance schemes to assist primary producers, small businesses and other sectors during periods of temporary difficulty, or to otherwise benefit the Queensland economy.

Inconsistency with policy objectives of other legislation

The subordinate legislation is not inconsistent with the policy objectives of any other legislation.

Benefits and costs of implementation

QRIDA has extensive experience in administering grant, loan and rebate and payment schemes for government and is well placed to administer the Rebate Scheme.

The Queensland Government announced that the total funds allocated to the Counselling Service will be \$2 million with the funding spread across stages 2 and 3.

The Rebate Scheme will assist eligible businesses in a tourism industry that has been financially impacted as a result of COVID-19 to offset the cost of obtaining eligible professional advice.

Consistency with fundamental legislative principles

The subordinate legislation has been drafted with regard to, and is consistent with, the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Department of Agriculture and Fisheries consulted the Office of Best Practice Regulation (OBPR) within the Queensland Productivity Commission on whether the amendment is excluded from further analysis under the *Queensland Government Guide to Better Regulation*. The OBPR advised that it considered the proposal does not add to the burden of regulation and advised there are no significant adverse impacts beyond the financial impacts on the State in providing the rebate, and that no further regulatory impact analysis is required.