



Queensland

Rural and Regional Adjustment (Tourism and Hospitality Sector Hardship Grants Scheme) Amendment Regulation 2021

Subordinate Legislation 2021 No. 153

made under the

Rural and Regional Adjustment Act 1994

Contents

		Page
1	Short title	3
2	Commencement	3
3	Regulation amended	3
4	Amendment of s 3 (Approval of schemes—Act, s 11)	3
5	Insertion of new sch 38	3
	Schedule 38 Tourism and hospitality sector hardship grants scheme	3
	Part 1 Preliminary	
1	Objective of scheme	4
2	Purpose of assistance	4
3	Definitions for schedule	4
4	Meaning of employee	7
	Part 2 Tourism and hospitality sector hardship grants	
5	Definitions for part	8
6	Meaning of category A business	8
7	Meaning of category A non-profit organisation	10
8	Nature and amount of assistance	12
9	Eligibility criteria	13
10	Payment of assistance	15

Contents

Part 3	Major tourism experiences hardship grants	
11	Definitions for part	15
12	Meaning of category B business	16
13	Meaning of category C business	18
14	Meaning of category B non-profit organisation	19
15	Meaning of business collection	21
16	Nature and amount of assistance	22
17	Eligibility criteria	24
18	Payment of assistance	26
19	Conditions	28
Part 4	General provisions	
20	Requirements for applications	29
21	Deciding applications	29

1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (Tourism and Hospitality Sector Hardship Grants Scheme) Amendment Regulation 2021*.

2 Commencement

This regulation commences on 11 October 2021.

3 Regulation amended

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

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

Section 3(1), ‘37’—

omit, insert—

38

5 Insertion of new sch 38

After schedule 37—

insert—

**Schedule 38 Tourism and hospitality
sector hardship grants
scheme**

section 3(1)

Part 1

Preliminary

1 Objective of scheme

The objective of the scheme is to provide assistance to tourism and hospitality businesses and non-profit organisations that have been financially affected by travel restrictions imposed by the Commonwealth government or State government in response to COVID-19.

2 Purpose of assistance

- (1) The purpose of assistance under the scheme is to provide relief and support for eligible businesses and non-profit organisations affected by COVID-19 travel restrictions, including to help them maintain employment for their employees in Queensland.
- (2) However, assistance under the scheme is not intended to compensate eligible businesses and non-profit organisations for loss of income suffered as a result of COVID-19 travel restrictions.

3 Definitions for schedule

In this schedule—

annual turnover see the *Income Tax Assessment Act 1997* (Cwlth), section 328-120.

ANZSIC means the document called ‘Australian and New Zealand Standard Industrial Classification (ANZSIC)’ published by the Australian Bureau of Statistics.

Note—

ANZSIC is available on the Australian Bureau of Statistics’ website.

applicant means an entity applying for financial assistance under the scheme.

associated entity, of an owner of a business, for

part 3, see section 11.

business collection, for part 3, see section 15.

category A business, for part 2, see section 6.

category A entity, for part 2, see section 5.

category A non-profit organisation, for part 2, see section 7.

category B business, for part 3, see section 12.

category B entity, for part 3, see section 11.

category B non-profit organisation, for part 3, see section 14.

category C business, for part 3, see section 13.

COVID-19 travel restrictions means—

- (a) the restrictions placed on persons entering Australia from overseas following the declaration of a human biosecurity emergency under the *Biosecurity Act 2015* (Cwlth), section 475 in relation to human coronavirus with pandemic potential; or
- (b) the following restrictions or prohibitions imposed under the *Public Health Act 2005*, section 362B, 362H or 362I—
 - (i) restrictions imposed on, or the prohibition of, persons entering Queensland from another State or another country;
 - (ii) restrictions imposed on, or the prohibition of, persons entering or leaving particular premises, or particular areas, in Queensland.

employee see section 4.

excluded business means a business—

- (a) that is a government entity; or

[s 5]

- (b) that is a local or regional tourism organisation; or
- (c) that is an industry representative organisation; or
- (d) whose only source of income is 1 or more of the following—
 - (i) earnings from rental properties;
 - (ii) interest earned on investments;
 - (iii) dividends.

excluded non-profit organisation means a non-profit organisation—

- (a) that is a government entity; or
- (b) that is a local or regional tourism organisation; or
- (c) that is an industry representative organisation; or
- (d) whose only source of income is 1 or more of the following—
 - (i) earnings from rental properties;
 - (ii) interest earned on investments;
 - (iii) dividends.

government entity means—

- (a) a government entity within the meaning of the *Public Service Act 2008*, section 24; or
- (b) a local government; or
- (c) a government owned corporation; or
- (d) an Australian government agency or sovereign entity within the meaning of the *Income Tax Assessment Act 1997* (Cwlth); or
- (e) an entity that is wholly owned by an entity mentioned in any of paragraphs (a) to (d).

insolvent under administration see the Corporations Act, section 9.

non-profit organisation means a charity or other non-profit entity that is incorporated under a law of the Commonwealth or a State.

owner, of a business—

- (a) for part 2, see section 5; or
- (b) for part 3, see section 11.

part 2 first payment see section 10(a).

part 2 second payment see section 10(b).

part 3 first payment see section 18(1)(a).

part 3 second payment see section 18(1)(b).

related body corporate, for part 3, see section 11.

relevant financial year means any of the following financial years—

- (a) 2018–2019;
- (b) 2019–2020;
- (c) 2020–2021.

scheme means the scheme set out in this schedule.

wages see the *Industrial Relations Act 2016*, schedule 5.

4 Meaning of *employee*

- (1) An individual who is employed, or ordinarily employed, by a business or non-profit organisation is an ***employee*** of the business or organisation.
- (2) To remove any doubt, it is declared that none of the following persons is an employee of a business—
 - (a) if the owner of the business is a sole trader—the owner;

- (b) if the owner of the business is a partnership, private company, public company or trust—the partners in the partnership, directors of the company or trustees of the trust.
- (3) Also, a person who performs work under a contract for services with a business or non-profit organisation, including, for example, a subcontractor, is not an employee of the business or non-profit organisation.

Part 2 **Tourism and hospitality sector hardship grants**

5 **Definitions for part**

In this part—

category A business see section 6.

category A entity means—

- (a) a category A business; or
- (b) a category A non-profit organisation.

category A non-profit organisation see section 7.

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

6 **Meaning of *category A business***

- (1) A business is a *category A business* if—
 - (a) an entity—
 - (i) holds an Australian Business Number for the business; and

- (ii) has continuously held the same Australian Business Number for the business since 30 June 2021; and
- (b) the business is registered for GST; and
- (c) the business is, and has been since 30 June 2021, trading from premises in Queensland; and
- (d) the business has, and on 30 June 2021 had, at least 1 employee in Queensland; and
- (e) either—
 - (i) the annual turnover of the business in Queensland for any of the relevant financial years was more than \$75,000; or
 - (ii) both of the following apply—
 - (A) the business has operated in Queensland for only part of the 2020–2021 financial year;
 - (B) according to its financial records, the annual turnover of the business in Queensland for the 2021–2022 financial year can reasonably be expected to be more than \$75,000; and
- (f) either—
 - (i) the business’s primary activity is an activity listed in ANZSIC under class code 4400, 4511, 4512, 4513, 4520, 4530, 4820, 5010, 7220, 8910, 8921, 8922, 9001, 9003 or 9131; or
 - (ii) both of the following apply—
 - (A) the business’s primary activity is an activity listed in ANZSIC under class code 4279, 4621,

4623, 6611, 6619, 6962, 7299 or
9139;

- (B) the predominant clients for the business's primary activity are tourists; and
- (g) none of the following entities is an insolvent under administration or is under administration or in receivership or liquidation—
- (i) the business;
 - (ii) if the owner of the business is a sole trader—the owner;
 - (iii) if an owner of the business is a partnership, private company, public company or trust—the partners in the partnership, directors of the company or trustees of the trust.
- (2) However, a business is not a *category A business* if the business is an excluded business.

7 Meaning of *category A non-profit organisation*

- (1) A non-profit organisation is a *category A non-profit organisation* if—
- (a) the organisation—
 - (i) holds an Australian Business Number; and
 - (ii) has continuously held the same Australian Business Number since 30 June 2021; and
 - (b) the organisation is registered for GST; and
 - (c) the organisation is, and has been since 30 June 2021, trading from premises in Queensland; and

- (d) the organisation has, and on 30 June 2021 had, at least 1 employee in Queensland; and
- (e) either—
 - (i) the annual turnover of the organisation in Queensland for any of the relevant financial years was more than \$75,000; or
 - (ii) both of the following apply—
 - (A) the organisation has operated in Queensland for only part of the 2020–2021 financial year;
 - (B) according to its financial records, the annual turnover of the organisation in Queensland for the 2021–2022 financial year can reasonably be expected to be more than \$75,000; and
- (f) either—
 - (i) the organisation’s primary activity is an activity listed in ANZSIC under class code 4400, 4511, 4512, 4513, 4520, 4530, 4820, 5010, 7220, 8910, 8921, 8922, 9001, 9003 or 9131; or
 - (ii) both of the following apply—
 - (A) the organisation’s primary activity is an activity listed in ANZSIC under class code 4279, 4621, 4623, 6611, 6619, 6962, 7299 or 9139;
 - (B) the predominant clients for the organisation’s primary activity are tourists; and
- (g) neither the organisation, nor a member of the organisation’s governing body, is an insolvent under administration or is under

administration or in receivership or liquidation.

Examples of members of the organisation's governing body—

- a director of the organisation
- a member of the organisation's management committee
- a trustee of the organisation

- (2) However, a non-profit organisation is not a **category A non-profit organisation** if the non-profit organisation is an excluded non-profit organisation.

8 Nature and amount of assistance

- (1) The nature of the assistance available to an applicant under this part is the grant of financial assistance for a category A entity.
- (2) The amount of assistance payable under this part is—
- (a) \$30,000, if—
- (i) the entity's wages and superannuation amount for a relevant financial year was less than \$1,300,000 or the entity has operated in Queensland for only part of the 2020–2021 financial year; and
 - (ii) paragraphs (b) and (c) do not apply; or
- (b) \$50,000, if—
- (i) the entity's wages and superannuation amount for a relevant financial year was not less than \$1,300,000 but not more than \$10,000,000; and
 - (ii) paragraph (c) does not apply; or

- (c) \$100,000, if the entity's wages and superannuation amount for a relevant financial year was more than \$10,000,000.
- (3) The assistance payable under this part is payable in 2 equal amounts in accordance with section 10.
- (4) In this section—
wages and superannuation amount, of a category A entity for a relevant financial year, means the total of the wages and superannuation paid in Queensland by the entity to its employees during the relevant financial year.

9 Eligibility criteria

- (1) For an applicant to be eligible to receive assistance under this part for a category A entity, the applicant—
 - (a) must be—
 - (i) if the entity is a category A business—an owner of the business; or
 - (ii) the category A non-profit organisation; and
 - (b) must demonstrate to the satisfaction of the authority that—
 - (i) the entity's turnover in Queensland for a nominated 7-day period is at least 70% less than the entity's turnover in Queensland for the comparison period; and
 - (ii) the entity has, during the nominated 7-day period, been significantly affected by COVID-19 travel restrictions; and
 - (c) must not have received assistance under part 3.

- (2) Subsection (3) applies to an applicant who—
- (a) is a sole trader; and
- (b) has received a COVID-19 disaster payment (Cwlth) in relation to COVID-19 travel restrictions for a particular period.
- (3) The applicant’s nominated 7-day period may not include, or partly include, the particular period.
- (4) In this section—

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

- (a) a period—
- (i) in 1 of the relevant financial years chosen by the applicant; and
- (ii) that comprises the same days as the applicant’s nominated 7-day period; or

Example for paragraph (a)—

If the applicant’s nominated 7-day period is 1 to 7 August 2021, and the applicant chooses the relevant financial year of 2020–2021, the comparison period would be 1 to 7 August 2020.

- (b) if the authority considers the period mentioned in paragraph (a) is not indicative of the category A entity’s typical weekly turnover unaffected by COVID-19 travel restrictions—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 category A entity was not operating during the period mentioned in paragraph (a)
- the category A entity’s turnover during the period mentioned in paragraph (a) was affected by a significant event

COVID-19 disaster payment (Cwlth) means a payment covered by the *Financial Framework*

(*Supplementary Powers*) *Regulations 1997* (Cwlth), schedule 1AB, part 4, item 492.

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

- (a) is nominated by the applicant; and
- (b) starts no earlier than 1 July 2021 and ends no later than 30 September 2021.

10 Payment of assistance

Assistance under this part is payable to an applicant as follows—

- (a) half of the amount is payable (the ***part 2 first payment***) on the authority approving the application under section 21;
- (b) the remaining half of the amount is payable (the ***part 2 second payment***) on the authority being satisfied the business or non-profit organisation to which the application relates has, on 8 November 2021, at least 1 employee.

Part 3 Major tourism experiences hardship grants

11 Definitions for part

In this part—

associated entity, of an owner of a business, means—

- (a) if the owner is a body corporate—a related body corporate; or

- (b) an entity that, in relation to its business affairs, acts or could reasonably be expected to act—
 - (i) in accordance with the owner's directions or wishes; or
 - (ii) in concert with the owner; or
- (c) an entity that the authority reasonably considers is associated with the owner in relation to its business affairs.

business collection see section 15.

category B business see section 12.

category B entity means—

- (a) a category B business; or
- (b) a category B non-profit organisation.

category B non-profit organisation see section 14.

category C business see section 13.

owner, of a business, means an entity that has control and responsibility for conducting the business, either directly or through an associated entity of the entity.

related body corporate see the Corporations Act, section 9.

12 Meaning of **category B business**

- (1) A business is a **category B business** if—
 - (a) an entity—
 - (i) holds an Australian Business Number for the business; and
 - (ii) has continuously held the same Australian Business Number for the business since 30 June 2021; and

- (b) the business is registered for GST; and
- (c) the business is, and has been since 30 June 2021, trading from premises in Queensland; and
- (d) on 30 June 2021, the business had at least 50 employees in Queensland; and
- (e) each of the employees mentioned in paragraph (d) who was a casual or temporary employee had been employed by the business in Queensland for at least 12 months immediately before 30 June 2021; and
- (f) either—
 - (i) the annual turnover of the business in Queensland for any of the relevant financial years was not less than \$25,000,000; or
 - (ii) both of the following apply—
 - (A) the business has operated in Queensland for only part of the 2020–2021 financial year;
 - (B) according to its financial records, the annual turnover of the business in Queensland for the 2021–2022 financial year can reasonably be expected to be not less than \$25,000,000; and
- (g) the business’s primary activity is an activity listed in ANZSIC under class code 4820, 5010, 8921, 8922, 9131 or 9139; and
- (h) the predominant clients for the business’s primary activity are tourists; and
- (i) none of the following entities is an insolvent under administration or is under administration or in receivership or liquidation—

- (i) the business;
 - (ii) if the owner of the business is a sole trader—the owner;
 - (iii) if an owner of the business is a partnership, private company, public company or trust—the partners in the partnership, directors of the company or trustees of the trust;
 - (iv) an associated entity of an owner of the business.
- (2) However, a business is not a *category B business* if the business is an excluded business.

13 Meaning of *category C business*

- (1) A business is a *category C business* if—
- (a) an entity—
 - (i) holds an Australian Business Number for the business; and
 - (ii) has continuously held the same Australian Business Number for the business since 30 June 2021; and
 - (b) the business is registered for GST; and
 - (c) the business is, and has been since 30 June 2021, trading from premises in Queensland; and
 - (d) the business’s primary activity is an activity listed in ANZSIC under class code 4820, 5010, 8921, 8922, 9131 or 9139; and
 - (e) the predominant clients for the business’s primary activity are tourists; and
 - (f) none of the following entities is an insolvent under administration or is under administration or in receivership or liquidation—

- (i) the business;
 - (ii) if the owner of the business is a sole trader—the owner;
 - (iii) if an owner of the business is a partnership, private company, public company or trust—the partners in the partnership, directors of the company or trustees of the trust;
 - (iv) an associated entity of an owner of the business.
- (2) However, a business is not a *category C business* if the business is a category B business or an excluded business.

14 Meaning of *category B non-profit organisation*

- (1) A non-profit organisation is a *category B non-profit organisation* if—
- (a) the organisation—
 - (i) holds an Australian Business Number; and
 - (ii) has continuously held the same Australian Business Number since 30 June 2021; and
 - (b) the organisation is registered for GST; and
 - (c) the organisation is, and has been since 30 June 2021, trading from premises in Queensland; and
 - (d) on 30 June 2021, the business had at least 50 employees in Queensland; and
 - (e) each of the employees mentioned in paragraph (d) who was a casual or temporary employee had been employed by the organisation in Queensland for at least

12 months immediately before 30 June 2021; and

- (f) either—
- (i) the annual turnover of the organisation in Queensland for any of the relevant financial years was not less than \$25,000,000; or
 - (ii) both of the following apply—
 - (A) the organisation has operated in Queensland for only part of the 2020–2021 financial year;
 - (B) according to its financial records, the annual turnover of the organisation in Queensland for the 2021–2022 financial year can reasonably be expected to be not less than \$25,000,000; and
- (g) the organisation’s primary activity is an activity listed in ANZSIC under class code 4820, 5010, 8921, 8922, 9131 or 9139; and
- (h) the predominant clients for the organisation’s primary activity are tourists; and
- (i) neither the organisation, nor a member of the organisation’s governing body, is an insolvent under administration or is under administration or in receivership or liquidation.

Examples of members of the organisation’s governing body—

- a director of the organisation
- a member of the organisation’s management committee
- a trustee of the organisation

- (2) However, a non-profit organisation is not a **category B non-profit organisation** if the

non-profit organisation is an excluded non-profit organisation.

15 Meaning of *business collection*

- (1) Two or more businesses are a *business collection* if—
 - (a) either—
 - (i) each of the businesses is owned by the same owner; or
 - (ii) 1 or more of the businesses is owned by more than 1 owner, but each of the businesses has at least 1 owner in common; and
 - (b) 1 of the following applies—
 - (i) each of the businesses is a category B business;
 - (ii) each of the businesses is a category B business or a category C business, but at least 1 is a category B business and at least 1 is a category C business;
 - (iii) each of the businesses is a category C business and the requirements mentioned in subsection (2) are met in relation to the businesses.
- (2) For subsection (1)(b)(iii), the requirements are—
 - (a) on 30 June 2021, the category C businesses had a combined total of at least 50 employees in Queensland; and
 - (b) each of the employees mentioned in paragraph (a) who was a casual or temporary employee had been employed by 1 of the category C businesses in Queensland for at least 12 months immediately before 30 June 2021; and

- (c) either—
 - (i) if all of the category C businesses have operated in Queensland for only part of the 2020–2021 financial year—according to the financial records of the category C businesses, the combined total of the annual turnover of the category C businesses in Queensland for the 2021–2022 financial year can reasonably be expected to be not less than \$25,000,000; or
 - (ii) otherwise—the combined total of the annual turnover of the category C businesses in Queensland for any of the relevant financial years was not less than \$25,000,000.

16 Nature and amount of assistance

- (1) The nature of the assistance available to an applicant under this part is the grant of financial assistance for—
 - (a) a category B entity; or
 - (b) a business collection.
- (2) The amount of assistance payable under this part in relation to a category B entity is—
 - (a) \$2,000,000, if—
 - (i) the entity's annual turnover in Queensland for any of the relevant financial years was not less than \$25,000,000 or the entity has operated in Queensland for only part of the 2020–2021 financial year; and
 - (ii) on 30 June 2021, the entity had at least 50 employees in Queensland; and

- (iii) paragraphs (b) and (c) do not apply; or
- (b) \$3,000,000, if—
 - (i) the entity's annual turnover in Queensland for any of the relevant financial years was not less than \$100,000,000; and
 - (ii) on 30 June 2021, the entity had at least 200 employees in Queensland; and
 - (iii) paragraph (c) does not apply; or
- (c) \$4,000,000, if—
 - (i) the entity's annual turnover in Queensland for any of the relevant financial years was not less than \$200,000,000; and
 - (ii) on 30 June 2021, the entity had at least 500 employees in Queensland.
- (3) The amount of assistance payable under this part in relation to a business collection is—
 - (a) \$2,000,000, if—
 - (i) the combined total of the collection's annual turnover in Queensland for any of the relevant financial years was not less than \$25,000,000 or all of the businesses comprising the collection have operated in Queensland for only part of the 2020–2021 financial year; and
 - (ii) on 30 June 2021, the collection had a combined total of at least 50 employees in Queensland; and
 - (iii) paragraphs (b) and (c) do not apply; or
 - (b) \$3,000,000, if—
 - (i) the combined total of the collection's annual turnover in Queensland for any

- of the relevant financial years was not less than \$100,000,000; and
- (ii) on 30 June 2021, the collection had a combined total of at least 200 employees in Queensland; and
- (iii) paragraph (c) does not apply; or
- (c) \$4,000,000, if—
 - (i) the combined total of the collection's annual turnover in Queensland for any of the relevant financial years was not less than \$200,000,000; and
 - (ii) on 30 June 2021, the collection had a combined total of at least 500 employees in Queensland.

17 Eligibility criteria

- (1) For an applicant to be eligible to receive assistance under this part for a category B entity, the applicant—
 - (a) must be—
 - (i) if the entity is a category B business—an owner of the business; or
 - (ii) the category B non-profit organisation; and
 - (b) must demonstrate to the satisfaction of the authority that—
 - (i) the category B entity's turnover in Queensland for the relevant period is at least 50% less than the entity's turnover for the comparison period; and
 - (ii) the entity has, during the relevant period, been significantly affected by COVID-19 travel restrictions; and

- (c) must not have received assistance under part 2.
- (2) However, an applicant may not receive assistance for a category B business if it is a business for which the applicant or another applicant has received assistance under this part as a business that is part of a business collection.
- (3) For an applicant to be eligible to receive assistance under this part for a business collection—
 - (a) the applicant must be an owner of each of the businesses comprising the collection; and
 - (b) the applicant must demonstrate to the satisfaction of the authority that—
 - (i) the combined total turnover in Queensland of the businesses comprising the collection for the relevant period is at least 50% less than the businesses' combined total turnover in Queensland for the comparison period; and
 - (ii) the collection has, during the relevant period, been significantly affected by COVID-19 travel restrictions; and
 - (c) the applicant must not have received assistance under part 2.
- (4) However, an applicant may not receive assistance for a business collection if at least 1 of the businesses comprising the collection is a business for which the applicant or another applicant has received assistance under this part as—
 - (a) a category B business; or
 - (b) part of another business collection.
- (5) In this section—

comparison period, in relation to the relevant period, means—

- (a) a period—
- (i) in 1 of the relevant financial years chosen by the applicant; and
 - (ii) that comprises the same days as the relevant period; or

Example for paragraph (a)—

If the applicant chooses the relevant financial year of 2020–2021, the comparison period would be 1 July 2020 to 30 September 2020.

- (b) if the authority considers the period mentioned in paragraph (a) is not indicative of the typical turnover of the category B entity or business collection in the relevant period unaffected by COVID-19 travel restrictions—another period of 90 consecutive days the authority considers is comparable to the relevant period.

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

- for an application in relation to a category B entity—the entity was not operating during the period mentioned in paragraph (a)
- for an application in relation to a business collection—the combined total turnover of the businesses comprising the collection during the period mentioned in paragraph (a) was affected by a significant event

relevant period means the period 1 July 2021 to 30 September 2021.

18 Payment of assistance

- (1) Assistance under this part is payable to an applicant as follows—

- (a) half of the amount is payable (the ***part 3 first payment***) on the authority approving the application under section 21;
 - (b) the remaining half of the amount is payable (the ***part 3 second payment***) on the authority being satisfied that—
 - (i) for an application relating to a category B entity—the entity has, on 8 November 2021, at least the same number of employees as the entity had on 25 September 2021; or
 - (ii) for an application relating to a business collection—the businesses comprising the collection have, on 8 November 2021, a combined total of at least the same number of employees as the businesses had as a combined total on 25 September 2021.
- (2) For subsection (1)(b), the following persons are to be included as employees of a category B entity or a business that, on 8 November 2021, is part of a business collection—
- (a) an employee of the entity or business who has been stood down under the *Fair Work Act 2009* (Cwlth), section 524 and who, on 8 November 2021, remains stood down;
 - (b) an employee of the entity or business who, on 8 November 2021, is on leave without pay;
 - (c) an employee of the entity or business who, during the period 25 September 2021 to 8 November 2021, voluntarily ended the employee’s employment with the entity or business.

19 Conditions

- (1) Payment of assistance under this part is subject to the conditions stated in subsections (2) and (3).
- (2) For assistance relating to a category B entity, the entity must, on 31 December 2021, have at least the same number of employees as the entity had on 25 September 2021.
- (3) For assistance relating to a business collection, the businesses comprising the collection must, on 31 December 2021, have a combined total of at least the same number of employees as the businesses had as a combined total on 25 September 2021.
- (4) For subsections (2) and (3), the following persons are to be included as employees of a category B entity or a business that, on 31 December 2021, is part of a business collection—
 - (a) an employee of the entity or business who has been stood down under the *Fair Work Act 2009* (Cwlth), section 524 and who, on 31 December 2021, remains stood down;
 - (b) an employee of the entity or business who, on 31 December 2021, is on leave without pay;
 - (c) an employee of the entity or business who, during the period 25 September 2021 to 31 December 2021, voluntarily ended the employee's employment with the entity or business.
- (5) If an applicant receives a part 3 first payment and a part 3 second payment but the condition under subsection (2) or (3) is not satisfied, the applicant must repay the part 3 first payment and part 3 second payment to the authority.

Part 4

General provisions

20 Requirements for applications

- (1) An application for assistance under the scheme must be—
 - (a) made on the form approved by the authority; and
 - (b) accompanied by the documents stated in the application form; and
 - (c) for a part 2 first payment or part 3 first payment—be received by the authority no later than 6p.m. on 22 November 2021; and
 - (d) for a part 2 second payment or part 3 second payment—be received by the authority no later than 6p.m. on 6 December 2021.
- (2) Separate applications must be made for each payment.
- (3) An applicant may not make an application for a part 2 second payment until a part 2 first payment has been made to the applicant.
- (4) An applicant may not make an application for a part 3 second payment until a part 3 first payment has been made to the applicant.
- (5) If the authority asks the applicant to provide further information to support an application, the applicant must provide the information.

21 Deciding applications

- (1) The authority must consider, and decide to approve or refuse to approve, each application for assistance under the scheme that complies with section 20(1) to (4).
- (2) The authority must consider applications for assistance under parts 2 and 3 separately and in the order they are received by the authority.
- (3) The authority must refuse an application for assistance if the authority's assistance funds for

[s 5]

the scheme are not enough to pay for the assistance.

ENDNOTES

- 1 Made by the Governor in Council on 7 October 2021.
- 2 Notified on the Queensland legislation website on 8 October 2021.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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