

International Aviation Support Guidelines

Opening date:	24 March 2021
Closing date and time:	11:30 AEDT on 28 March 2021
Commonwealth policy entity:	Department of Infrastructure, Transport, Regional Development and Communications
[Administering entity]	Department of Infrastructure, Transport, Regional Development and Communications
Enquiries:	<p>If you have any questions, contact the Director, Repatriation and International Review at internationalaviation@infrastructure.gov.au.</p> <p>Questions should be sent no later than 28 March 2021.</p>
Date guidelines released:	24 March 2021
Type of grant opportunity:	Demand-driven (Eligibility-based)

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1. International Aviation Support processes

The International Aviation Support payment is designed to achieve Australian Government objectives

This grant contributes to the Department of Infrastructure, Transport, Regional Development and Communications' Outcome 2. The Department works with stakeholders to plan and design the grant according to the [Commonwealth Grants Rules and Guidelines](#).



The grant opportunity opens

We publish the grant guidelines on [GrantConnect](#).



You submit a grant application



We assess grant applications

We assess the applications against eligibility criteria.



Grant decisions are made

The decision maker makes a decision about the grant.



We notify you of the outcome



We enter into a grant agreement

A simplified grant agreement setting out the terms and conditions for the grant will be provided to successful grant applicants.



Delivery of grant

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.



Evaluation of the grant opportunity

We evaluate the specific grant activity and grant opportunity as a whole. We base this on information you provide to us and that we collect from various sources.

1.1 Introduction

These guidelines contain information for the International Aviation Support grant.

This funding is intended to maintain a core Australian international aviation capability and ensure Australian airlines can quickly recommence commercial international flights as international restrictions are lifted.

You must read this document before applying for a grant.

This document sets out:

- the purpose of the grant opportunity
- the eligibility criteria
- how grant applications are considered and selected
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the Department of Infrastructure, Transport, Regional Development and Communications (the Department).

2. About the grant program

This grant represents part of the Australian Government's continued economic response to COVID-19, providing financial assistance to Australia's eligible international airlines to assist the recovery of the aviation sector.

The International Aviation Support grant (the grant) will run over seven months from 1 April to 31 October 2021. Grant payments may be suspended or varied during the course of the grant period should international border restrictions be lifted prior to the conclusion of the grant.

Due to COVID-19, international aviation continues to be heavily affected by restrictions on international passenger departures and arrivals. Australian international airlines have made operational decisions to suspend scheduled international passenger services (excluding repatriation flights and a small number of trans-Tasman services), place most international aircraft in storage and stand down a large proportion of its international workforce.

The objective of this grant is to support Australian international airlines to:

- preserve international aviation jobs;
- ensure retention of aviation skills; and
- facilitate a quick resumption of Australian scheduled international airline passenger services when restrictions on international departures and arrivals are lifted.

The intended outcome of the grant is for our designated Australian international passenger airlines to maintain a core international aviation workforce and operational capability over the

period of the grant. We will administer the grant according to the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#)¹.

3. Grant amount and grant period

The Australian Government will provide a total of \$200 million over seven months for the International Aviation Support grant, starting in April 2021.

The grant funding made available to an eligible Australian international airline will be determined by the Department. This determination will be based on the proportion of the airline's international passenger services (excluding the Trans-Tasman route where commercial operations are already available through the One Way Safe Travel Zone) relative to other Australian international airlines operating services to/from Australia before all scheduled passenger services were suspended by Australian designated airlines.

The funding will be provided through an up-front monthly payment to the eligible airline.

The grant opportunity will run from 1 April to 31 October 2021. Grant payments may be suspended or varied during the course of the grant period should international border restrictions be lifted prior to the conclusion of the grant on 31 October 2021. This will be detailed in the grant agreement.

4. Eligibility criteria

We cannot consider your application if it does not satisfy all the eligibility criteria.

4.1 Who is eligible to apply for a grant?

The Department will invite eligible airlines to apply in writing, you cannot apply without an invitation. To be eligible you must:

- hold a current Australian International Airline Licence to operate scheduled international passenger services as a designated airline of Australia (issued under the Air Navigation Regulations 2016).
- have operated international Regular Public Transport services in 2019-20.

A joint application can be submitted on behalf of multiple applicants. An applicant must be incorporated in Australia

In the case of a joint application, a lead applicant must be selected to apply for the grant.

¹ <https://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf>

5. What the grant money can be used for

5.1 Eligible grant activities

Grant funds must be used for grant activities agreed with the Department under the grant agreement.

The reasonable eligible activities must be directly attributable to the capability and readiness of the airline's international aviation passenger services and may include:

- Staffing (including payment of stood down staff)
- Aviation training, skills and certification
- Aircraft maintenance
- Aircraft storage

5.2 Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on eligible grant activities.

Costs that will be eligible for grant funding will be determined by the Department in the grant agreement and are the reasonable costs directly attributable to the maintenance of an agreed level of international aviation capability, and include:

- employee support and retention payments to maintain an agreed level of the airline's international workforce, including retention and supplement payments for stood down staff or those working reduced hours, and payments to support staff undertaking training;
- training to ensure skilled international workers maintain skills and currency necessary to transition back to flying when international borders open;
- maintain or prepare international aircraft for flight-ready condition; and
- costs associated with bringing aircraft out of storage.

The Delegate makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure from time to time if required.

5.3 What the grant money cannot be used for

You cannot use the grant funding for activities outside of the scope agreed with the Department, as set out in your grant agreement.

Specific grant activities that are not eligible are:

- staffing and fleet maintenance used only for domestic aviation operations
- staffing and fleet maintenance used only for cargo-only aviation operations
- operational costs for international airline subsidiaries that are not incorporated in Australia

- activities already funded by other Commonwealth programs (including, but not limited to, expenses covered under Government-facilitated repatriation services and or the International Freight Assistance Mechanism).
- operation of scheduled commercial international passenger services.

6. How to apply

Before applying, you must read and understand these guidelines and the sample grant agreement.

These documents may be found at [GrantConnect](#). Any alterations and addenda² will be published on GrantConnect and by registering on this website you will be automatically notified of any changes. GrantConnect is the authoritative source for grants information.

To apply you must:

- write a letter of application outlining your eligibility against the stated criteria
- provide supporting evidence that you meet the eligibility criteria
- identify any joint applicants that would receive grant funding and their role in meeting the grant objectives
- submit your application to internationalaviation@infrastructure.gov.au by 11:30 pm AEDT 28 March 2021.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

If you find an error in your application after submitting it, you should call us immediately on 02 6274 6883.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application.

You should keep a copy of your application and any supporting documents.

We will acknowledge that we have received your application by 29 March 2021.

6.1 Attachments to the application

The following documents must be included with your application:

- A copy of your organisation's International Airline Licence(s)

6.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to apply.

² Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit an application and enter into a grant agreement with the Commonwealth. The application must identify all other members of the proposed group.

You must have a formal arrangement in place with all parties.

6.3 Timing of grant opportunity

You must submit an application by the closing dates. We can only accept a late application where you have sought and received an extension in writing from the Department before the closing date.

Activity	Timeframe
Grant opens for applications	24 March 2021
Closing date to submit applications	11:30 PM AEDT 28 March 2021
Assessment of application	31 March 2021
Award of grant agreement	1 April 2021
Notification to unsuccessful applicants	1 April 2021
End date of grant activity or agreement	31 October 2021 (unless otherwise varied)

6.4 Questions during the application process

If you have any questions during the application period, please contact Ross Adams, Director – Repatriation and International Review at internationalaviation@infrastructure.gov.au.

The Department will respond to emailed questions within five working days.

7. The grant selection process

Your application will be considered through a demand driven grant process.

We will check your application to ensure it meets the eligibility criteria.

Your application will be assessed for eligibility by the International Aviation branch of the Department.

If the selection process identifies unintentional errors in your application, you may be contacted to correct or explain the information.

7.1 Who will approve grants?

The First Assistant Secretary of the International Aviation, Technology & Services division decides which grants to approve taking into account the availability of grant funds for the purposes of the grant.

The First Assistant Secretary's decision is final in all matters, including:

- the approval of the grant
- the grant amount to be awarded
- the terms and conditions of the grant.

8. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

9. Successful grant applications

Successful grant applicants will be required to maintain their eligibility (outlined in section 4) during the grant period.

9.1 The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. Each agreement has standard terms and conditions that cannot be changed. [Sample grant agreements](#) are available on GrantConnect.

We must execute a grant agreement with you before we can make any payments. Your grant agreement may have specific conditions and we will identify these in the agreement.

Where a grantee fails to meet the obligations of the grant agreement, the relevant Commonwealth entity may suspend payments. The Commonwealth may recover grant funds if there is a breach of the grant agreement.

9.2 How we pay the grant

The grant agreement will state the maximum amount to be paid. Payments will be made up-front on a monthly basis.

We may choose to vary how we make payments, subject to the terms of the grant agreement.

After the initial payment, ongoing monthly payments will be contingent on receipt of the appropriate evidence of expenditure on eligible activities and assurance that the airline continues to meet agreed objectives as outlined in the grant agreement.

9.3 Grant Payments and GST

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#).³ We do not provide advice on your particular taxation circumstances.

³ <https://www.ato.gov.au/>

10. Announcement of grants

If successful, non-sensitive details of your grant will be listed on the [GrantConnect](#) website within 21 days after the date of effect⁴ as required by section 5.3 of the [CGRGs](#).

11. How we monitor your grant activity

11.1 Keeping us informed

We need to know of any key changes to your organisation or its business activities that would affect your ability to complete your grant responsibilities.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

11.2 Reporting

Specific reporting requirements and timeframes will be outlined in your grant agreement. The amount of detail you provide in your report should be relative to the size, complexity and grant amount. You may be required to provide independently verified statements to provide assurances that funding has been expended on eligible items and that the airline is meeting agreed objectives.

11.3 Grant agreement variations

We recognise that unexpected events may affect your operations. In these circumstances, you can request a variation to your grant agreement. You can request a variation by writing to internationalaviation@infrastructure.gov.au.

The Department continues to monitor the COVID-19 pandemic, and will consider reasonable variation requests on a case-by-case basis where the cause of the variation is related to COVID-19.

You should not assume that a variation request will be successful. We will consider your request based on provisions in the grant agreement and the likely impact on achieving outcomes.

11.4 Record keeping

We may also inspect the records you are required to keep under the grant agreement.

11.5 Evaluation

We will evaluate the grant to measure how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you and to evaluate how effective it was in achieving its outcomes.

⁴ See glossary

12. Probity

The Australian Government will make sure that the grant process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

These guidelines may be changed from time-to-time by the Department. When this happens the revised guidelines will be published on GrantConnect.

12.1 Enquiries and feedback

The Department's complaints procedures apply to complaints about this grant opportunity. All complaints about a grant process must be provided in writing to the Governance section at clientservice@infrastructure.gov.au.

Any questions you have about grant decisions for this grant opportunity should be sent to internationalaviation@infrastructure.gov.au.

If you do not agree with the way the Department has handled your complaint, you may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Department.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: www.ombudsman.gov.au

12.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if the Department's staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer [or member of an external panel]
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform the Department in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the [Australian Public Service Code of Conduct \(Section 13 \(7\)\)](#) of the [Public Service Act 1999](#).

Committee members and other officials including the decision maker must also declare any conflicts of interest.

12.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the Department would breach an Australian Privacy Principle as defined in the Act.

12.4 Confidential Information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the grant agreement confidential to the extent that it meets all the three conditions below:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive

3. revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- the [committee] and other Commonwealth employees and contractors to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, State, Territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

12.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982](#) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: Freedom of Information Coordinator
 Governance Section
 Department of Infrastructure, Transport, Regional Development and
 Communications

By email: clientservice@infrastructure.gov.au

13. Glossary

Term	Definition
accountable authority	see subsection 12(2) of the <i>Public Governance, Performance and Accountability Act 2013</i> (PGPA Act)
administering entity	when an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes
assessment criteria	are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
commencement date	the expected start date for the grant activity
completion date	the expected date that the grant activity must be completed and the grant spent by
co-sponsoring entity	when two or more entities are responsible for the policy and the appropriation for outcomes associated with it
date of effect	can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	the person who makes a decision to award a grant.
eligibility criteria	refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
Commonwealth entity	a Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act.

Term	Definition
<u>Commonwealth Grants Rules and Guidelines</u>	establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
grant	for the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> a. under which relevant money⁵ or other <u>Consolidated Revenue Fund (CRF) money</u>⁶ is to be paid to a grantee other than the Commonwealth; and b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.
grant activity/activities	refers to the project /tasks /services that the grantee is required to undertake
grant agreement	sets out the relationship between the parties to the agreement, and specifies the details of the grant
<u>GrantConnect</u>	is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs
grant opportunity	refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process
grant program	a 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single [entity] Portfolio Budget Statement Program.
grantee	the individual/organisation which has been selected to receive a grant

⁵ Relevant money is defined in the PGPA Act. See section 8, Dictionary.

⁶ Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
PBS Program	described within the entity's <u>Portfolio Budget Statement</u> , PBS programs each link to a single outcome and provide transparency for funding decisions. These high level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program associated with it, and each of these may have one or more grant opportunities
selection criteria	comprise eligibility criteria and assessment criteria
selection process	the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria
value with money	<p>value with money in this document refers to 'value with relevant money' which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> • the quality of the project proposal and activities; • fitness for purpose of the proposal in contributing to government objectives; • that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved; and • the potential grantee's relevant experience and performance history.