

Funding to attract critical workers (Work Stay Play)

Terms and Conditions

Effective 19 October 2021

Important

The Department of Industry, Tourism and Trade is committed to ensuring that the overall objective, intent and expectations of this program are met, and for that reason these terms and conditions are subject to change without notice. It is your responsibility to check this website frequently for notifications about changes that may have been made to the terms and conditions or any other aspect of the documentation relating to this Program.

1. Introduction

The Work Stay Play Program is a time-limited initiative of the Northern Territory Government to attract critical workers to relocate to the Northern Territory or new local workers to transition from unemployment into a job.

2. General

2.1. Program objective and scope

The objective of the Program is to attract new and additional workers into the Northern Territory aged care, plant production, tourism and hospitality sectors.

2.2. Definitions

Audit means the Department's right to check original documents and undertake onsite inspections of Eligible Employers for the purposes of verifying the truthfulness and accuracy of the information provided in the application form. As a condition of being approved to participate in the Program, the Eligible Employer agrees to present, upon request by the Department within 10 working days of the request, any documentation associated with their application for funding under the Program.

Application Form means a form prescribed by the Department and available on the website.

Department means the Northern Territory Government Department of Industry, Tourism and Trade.

Due Diligence in relation to an Eligible Employer or Worker, includes but is not limited to the following searches, which may be made before approval of an application and repeated throughout the Program if the Department determines there is a reasonable need to do so:

- credit report
- citizenship/ residency/ right to work
- criminal history check
- any other enquiries that the Department deems relevant to maintaining the integrity of the Program

Eligible Employer means:

A Territory Enterprise that:

- is a legal entity (a natural person or an incorporated entity), with or without a registered business name, and

- holds a valid Australian Business Number, and
- is operating in at least one of the following sectors:
 - Tourism;
 - Hospitality ;
 - Aged Care; and/or
 - Plant Production; and.
- is not an excluded employer, and
- has successfully registered with the Department.

Eligible Worker means a person who meets the criteria set out in clause 3.2.

Excluded Employer means a business:

- in which the Eligible Worker or a Relative of the Eligible Worker is Related to the Eligible Employer, or
- that is a public sector agency, local government entity, or a statutory body or corporation owned or controlled by the Northern Territory or Australian governments.

Hospitality Business means a business whose primary activity is to provide services related to leisure and customer satisfaction across the following categories:

- service of prepared food and beverages
- short term accommodation

Maximum Grant Amount is the sum of \$60 000.

Payment/ s means the amount(s) set out in the table at clause 4.2, to be provided to the Eligible Employer by the Department for payment to the Eligible Worker by the Employer in instalments in accordance with the table.

Plant Production means growers of produce for sale on open commercial market/s, whether the produce is for human or animal consumption, broad acre, horticulture or forestry.

Program means the Work Stay Play Program.

Related means:

- a) in relation to a company:
 - i. a director or member of the body or of a related body corporate; or
 - ii. a Relative of a director or member; or
 - iii. a Relative of the spouse of a director or member; or
 - iv. an employee of the company or a Relative of an employee of the company.
- b) in relation to any other kind of legal entity,
 - i. a proprietor, partner or any other person exercising control (whether on their own or jointly with others) over the management of the business; or
 - ii. a Relative of any person falling within (b)i. above; or
 - iii. an employee of the business or a Relative of an employee of the business

c) in relation to a person, means a Relative of that person.

Relative in relation to a person, means the spouse, parent or grandparent, child or grandchild or brother or sister of the person.

Spouse means a person that the Eligible Worker is living with on a bona fide domestic basis.

Territory enterprise is a business that satisfies all of the following:

- Operating in the Northern Territory - the enterprise is currently engaged in productive activities (ie, production of goods or delivery of services) within the Northern Territory.
- Significant permanent presence - the enterprise maintains an office, manufacturing facilities or other permanent base within the Northern Territory.
- Employing Northern Territory residents - the enterprise employs Territorians. An enterprise which relies exclusively on transient, interstate / international labour or a fly-in, fly-out workforce will not satisfy this element.

Tourism Business means a business whose primary activity is the provision of goods or services to facilitate business, pleasure or leisure activities away from the home environment. The Department will determine whether a business is a Tourism Business with reference to participation in the Australian Tourism Data Warehouse or other distribution platforms, and/or membership of a Regional Tourism Organisation.

Website means www.nt.gov.au/work-stay-play.

3. Application process

3.1. Applications

Eligible Employers can apply for incentives by following the links on the Website and submitting the prescribed application form. The Program opens on 30 April 2021 and Eligible Employers can apply for payments until 5pm on 31 December 2021.

3.2. Eligibility criteria and limitations

To be Eligible to receive payments an Eligible Worker must be a natural person who:

- is an Australian citizen or permanent resident or is otherwise legally authorised to work in Australia; and
- the Eligible Worker either:
 - has relocated to the Northern Territory from outside the Territory (whether from interstate or overseas) for the purposes of taking up employment with an Eligible Employer; or
 - is a Northern Territory resident who was unemployed for a period of at least one month immediately prior to commencing employment with the Eligible Employer; and
- commenced employment with an Eligible Employer on or after 30 April 2021, and
- is working a minimum of 20 hours per week; and
- is not Related to or a Relative of the Eligible employer.

Funding amount per Eligible Worker is capped at \$1500; in other words, should the Department have already paid \$750 for an Eligible Worker, the maximum amount still payable for that worker cannot be higher than \$750, regardless of whether the Eligible Worker has changed employers.

3.3. Assessment and approval process

Applications can be made by an Eligible Employer from 9am on 7 May 2021, following the directions on the application form. The Program closes to new applications at 5pm on 31 December 2021.

Applications will be processed by the Department on a first-come, first-served basis until all funding is expended or the Program ends.

The Department reserves the right, without liability, to refuse, suspend or terminate an application if it determines, in its absolute discretion, that the applicant is ineligible, or in breach of these terms and conditions.

No payments will be made for Eligible Workers until they have commenced employment at the Eligible Employer's physical business address (including mobile business premises where applicable).

If an applicant believes that they have been unreasonably declined they may request that the decision is reviewed in accordance with the complaints and appeals handling and review process. The Northern Territory Government is committed to maintaining the integrity of all its funding Programs and the results of any such review are final and binding on the applicant. Further information about the Department's decision review process is available on the Website.

4. Eligible Employers

4.1. Application by Eligible Employers

When they are ready to apply for a payment, Eligible Employers must lodge the application form.

Details collected will include:

- the name and ABN of the legal entity that operates the Eligible Employer
- trading name of the Eligible Employer (if any)
- physical address the Eligible Employer operates from in the Northern Territory
- name of the general manager or other person in charge of the Eligible business and name and contact number of contact person for participation in the Program
- Eligible Worker(s)' details

Eligible Employers should note that they will be required to:

- provide a Statutory Declaration as part of their application for funding under the Program providing proof of employment of Eligible Workers in such form as the Department requires; and
- verify, in writing, immediately at any time upon request by the Department, details (which will include personal information of the relevant employee) of any employees who receive payments under the Program; and
- upon request, provide evidence of eligibility of workers, being either proof of previous unemployed status or relocation to the Northern Territory; and

- upon request, provide evidence of full payments made to the Eligible Worker (first and second instalments).

5. Payments

Payments to Eligible Employers will be made in accordance with the below schedule upon application approval:

Payments	Amounts	Evidence required
First Payment	\$750 upon the Eligible Worker commencing employment in the Northern Territory	First payslip Worker details
Second Payment	\$750 after 8 weeks of continuous employment	Payslip for the 8th week of employment Worker details Evidence of payment of the first \$750 to the Eligible Worker (if no cash payment has been made, evidence of at least \$750 in value of costs borne by the Eligible Employer, e.g. free accommodation or flights)
TOTAL	\$1,500	

6. Due diligence, audit and privacy

The Department of Industry, Tourism and Trade is collecting some personal information to determine eligibility to receive payments under the Program and to contact you in relation to your application. If you do not wish to provide your personal information, the Department will not be able to determine your eligibility and will not progress your application. The types of personal information we will collect about you may include information and documents to verify identity, age, residency and employment.

Your information will be managed in accordance with the [Information Privacy Principles](#) in the Information Act (NT). Please note the following:

- personal information may be held outside the Northern Territory (but will not be held outside Australia); and
- the Department may share your information with the following third parties:
 - your Employer to confirm your ongoing employment
 - consultants or representatives of the Department for the purposes of undertaking audits
 - the Department's authorised credit reporting body, and
 - third party providers for the purposes of delivering the Program.

All participants in the Program acknowledge:

- that the Department will conduct such due diligence enquiries as it sees fit in order to ensure the integrity of the Program and that the allocated funding is used strictly in accordance with the intent

of the relevant government policy. Such enquiries may include (but are not necessarily limited to) company, association and business name searches on a business, title and other searches for the Premises, searches of the courts and/ or the trustee in bankruptcy and enquiries of private businesses or institutions as the department sees fit; and

- b) that it is a condition of participation in the Program that Businesses and Recipients comply with all relevant laws, including the *Payroll Tax Act 2009* and *Taxation Administration Act 2007* and, without limitation, that Businesses ensure they are aware of their obligations under the *Independent Commissioner Against Corruption Act 2017* (the Act) and that none of their officers, employees, and/or members engage in improper conduct as that term is defined in the Act.

Applicants are able to access and seek correction of their personal information by contacting the Privacy Officer at Department of Industry, Tourism and Trade, GPO Box 3200, Darwin, NT 0801, or by telephoning 08 8999 9172 or emailing centralrecords.ditt@nt.gov.au

Eligible Employers should note that it is a condition of participation in the Program that all Eligible Employers agree to the Department publishing their details in the Department's annual report, and the Department retains the right to publicise outputs of the Program as it sees fit (but redacted of personal information where applicable).

7. Disclaimer, release and indemnity

By applying to participate and as a continuing obligation throughout any period of participation in the Program, Eligible applicants and Eligible Employers declare and warrant to the Department that they have read, understood and fully accept these terms and conditions and fully release indemnify and will keep indemnified the Department against any loss or damage he / she / it / they may suffer of any nature whatsoever caused or contributed to by participation in the Program.

Eligible applicants are solely responsible for obtaining their own independent legal and financial advice about the income tax and any other legal impact that receipt of payments may have in their business or individual circumstances.

8. Administration of the Program

Every effort has been made to minimise red tape and simplify the application process. The Department is always looking to improve processes and systems. Stakeholder feedback is welcomed and should be sent to workstayplay@nt.gov.au with the subject line 'Work Stay Play Program' feedback.

9. Program changes and end

The Program will open to applications by Eligible Employers at 9am on 7 May 2021 and close at 5pm on 31 December 2021, unless closed sooner due to the full funding being committed/ expended.

The Department reserves the right to:

- vary these terms and conditions, the eligibility criteria or any other documented rule or procedure relating to the Program at any time without notice
- accept or reject any application for participation in the Program in its absolute discretion
- cease the Program at any time should Northern Territory Government policy change or the budget allocation for the Program be re-prioritised
- accept or reject an application in its absolute discretion.