

Specialist Advice Pathways Program

Guidelines

Program Overview

The Victorian Government announced the \$5 million Specialist Advice Pathways Program as part of the 2022-23 State Budget. The program supports established employing businesses who have remained in business despite the challenges presented by COVID-19. To do this they have had to re-invest, change core business activities, or limit operations in response to supply-chain issues or a change in their customer base.

Whilst many small businesses have successfully navigated these disruptions, there are other small businesses who have made necessary adjustments but still require expert advice to ensure profitability and inform sustainable business practices and/or next business steps.

The purpose of the program is to provide \$2,000 grant funding to support businesses to access accounting or legal professional advice as a contribution towards costs associated with professional service fees where the minimum project cost is \$2,000 (ex GST).

The three main objectives of the Specialist Advice Pathways Program are to:

- **Target** established employing businesses to support their effective transition in response to disruptive change – e.g. COVID-19 recovery and/or current economic conditions.
- **Enable** eligible businesses to access timely professional financial or legal advice to inform current and future business decisions.
- **Improve** business' capabilities and preparedness to adapt business models in response to economic changes.

Program Summary

A \$2,000 grant can be used by businesses to access services, advice or expertise provided by their preferred Qualified Service Provider to address a current and pressing issue to inform future business decisions. Grant funding is not intended for 'business as usual' activity and grants are non-transferable.

At the time of application, Applicants will be required to select their preferred service activity and nominate their Qualified Service Provider. Eligible businesses will be notified of their success in October 2022 and receive an upfront payment of \$1,000 to commence the service activity and a final payment of \$1,000 on the conclusion of the service activity.

The program will open for applications on Monday 29 August 2022 and close on Friday 30 September at 4:00 PM, or earlier if funds are exhausted. Applications are assessed on a first-in first serve basis. On program close a waitlist form will be available for potential Applicants to lodge their interest in the program, however submitting a waitlist form does not guarantee an invitation to participate in the program (see Section 9).

1. Who is eligible for a grant?

- 1.1 This program is for employing small businesses who are established and have been in operation for more than two years.
- 1.2 The business must:
- Be a legally structured business registered in Victoria¹ with an active Australian Business Number (ABN) and have held that ABN on and from 1 July 2020,
 - Be registered with WorkSafe Victoria², and
 - Employ 1-19 FTE (full-time equivalent) staff.
- 1.3 A business (as defined by its ABN) can only receive one grant per ABN.
- 1.4 **The following are not eligible to apply:**
- Trusts,³
 - Individuals⁴,
 - Commonwealth, state and local government agencies or bodies,
 - Publicly funded research institutions, or
 - Industry Associations.

2. Grant funding

- 2.1 Grant funding of \$2,000 per ABN is available for eligible projects under the program, where the minimum expenditure cost per project is \$2,000 (ex GST).
- 2.2 Applicants must intend to procure a minimum of eight hours of services from their nominated Qualified Service Provider.
- 2.3 Grant funding will be provided to the eligible business and will receive an upfront payment of \$1,000 to commence the service activity and a final grant instalment of \$1,000 on the satisfactory conclusion of the service activity (see Sections 4 and 6).
- 2.4 Applicants will be required to pay any out-of-pocket expenses if the project costs exceed \$2,000 (ex GST). The State of Victoria is not responsible or liable for costs whatsoever arising from or in connection with the funded project beyond the provision of the Grant.
- 2.5 Funding will not be provided for retrospective activities. The Recipient must not commence the project before receiving and acknowledging the receipt of the 'Successful Email' (see Section 6.2) and must satisfactorily complete the project by 31 January 2023.

¹ Where required by relevant and applicable legislation. Responsible regulators are the Australian Securities and Investments Commission (ASIC); the ACNC for charities and Not-for-profits Commission; and Consumer Affairs Victoria (CAV) for incorporated associations

² Businesses operating within Victoria and registered with WorkSafe Victoria must be able to provide Workcover Employee Number at the point of Application.

³ An Incorporated Trustee can apply on behalf of a Trust provided that the Trustee will remain sufficiently liable for the performance of any agreement it signs and meets the criteria as set out in Section 1.

⁴ Sole Traders and Partnerships are eligible to apply if they are employing staff and registered with WorkSafe Victoria.

3. Who is a Qualified Service Provider?

- 3.1 The Qualified Service Provider⁵ is a known and trusted advisor to the business and is qualified to deliver an approved Scope of Service (Section 4) and undertake the proposed project in Victoria.
- 3.2 The Applicant's nominated Qualified Service Provider must:
- a) Be a business that is registered for tax purposes in Australia with an active ABN.
 - b) The Qualified Service Provider cannot be an employee or director of the Applicant, or an associated entity of the Applicant, or a director or employee of an associated entity of the Applicant.
- 3.3 To confirm the identity of the Qualified Service Provider, the information below must be provided by the Applicant at the time of application:
- a) Professional membership details (refer to clause 3.1 and footnote 5), and
 - b) A valid Tax Practitioners Board (TPB) registration number (where applicable).

4. Scope of Service

- 4.1 The business can select the type of service that addresses their critical need and provide timely information to inform their strategic decision and next business steps.
- 4.2 The project is eligible for funding if expenditure supports at least one or more of the following scope of services listed below:
- a) Advice and analysis regarding the management of cash flow, preparation or cash flow budgets and projections,
 - b) Profitability analysis and formulation of financial management and/or operational business strategies,
 - c) Strategic analysis to revise business planning and/or governance arrangements,
 - d) Advice regarding the management of debts and liabilities, or
 - e) Advice and/or representation regarding commercial agreement contract terms (i.e. commercial leases or commercial supply contracts).

⁵ A Qualified Service Provider is any of the following:

- Qualified accountant who belongs to one of the following professional bodies at the declared membership classification i) CPA Australia (i.e. CPA and FCPA), ii) Chartered Accountants Australia and New Zealand (i.e. CA, ACA and FCA) and iii) Institute of Public Accountants (i.e. AIPA, MIPA and FIPA) and comply with the body's continuing professional education requirements; or
- A registered BAS Agent who belongs to one of the following associations at the declared membership classification, including i) the Institute of Certified Bookkeepers (FICB, MICB, AICB), and ii) the Australian Bookkeepers Association (Member), and iii) Association of Accounting Technicians (Australia) Limited and comply with the body's continuing professional education requirements; or
- A lawyer registered with the Victorian Legal Services Board.

5. Types of ineligible expenditure

- 5.1 The grant payment cannot be used for the following expense types (but is not limited to):
- a) Eligible services or activities that have concluded or commenced prior to applying for funding from this grant program,
 - b) Business operating expenses or capital expenditure,
 - c) Basic professional services such as ongoing, routine accounting, tax and legal business requirements, licencing, costs associated with export documentation, legal/intellectual property costs and financing fees,
 - d) Servicing creditors or personal debts and expenses,
 - e) Loss of income due to businesses' inability to operate as normal,
 - f) The purchase hire or lease of physical goods, equipment, and licenses,
 - g) Activities that could ordinarily be described as expenses incurred in the normal course of business such as operating expenses, stock purchases, utility payments, salaries/wages, travel costs or routine maintenance,
 - h) Software and hardware purchases,
 - i) Payment of fines/regulatory charges,
 - j) Costs associated with applying for government grants, funding programs or loans,
 - k) Rental property reviews and advice (for residential, commercial, and shared accommodation services),
 - l) Any amount paid on account of goods and services tax,
 - m) Any fees associated with entering into administration/bankruptcy, or
 - n) Any other expenditure as determined by the Department of Jobs, Precincts and Regions (Department) that does not meet program conditions.
- 5.2 Expenditure that does not comply with Section 4 of these Guidelines is considered ineligible, as determined by the Department at the Department's discretion.

6. How the program works

Applicants that participate in this program will progress through three key steps:

Step 1 – Submit an application via the Business Victoria website (business.vic.gov.au). Businesses can check the online ABN Checker to ensure their ABN (Australian Business Number) is active as of 1 July 2020.

Step 2 – If eligible, payment of the first grant instalment of \$1,000 so the project can commence with their Qualified Service Provider.

Step 3 – On project completion, the final grant instalment of \$1,000 will be paid. Projects must be completed by 31 January 2023.

6.1 Step 1 – Applicants submit an online Application

- a) Applications are submitted online via the Business Victoria website (business.vic.gov.au). All questions in the application need to be completed and requested information is to be provided to ensure timely assessment.
- b) As part of the application process, the Applicant must accept and agree to be bound by the terms and conditions of the grant in the application form and these guidelines. By completing the application form the Applicant is making an offer to the Department and will be bound by the terms of the offer if accepted by the Department.
- c) At the time of applying, the Applicant must nominate their Qualified Service Provider and provide their contact information including professional membership details.
- d) The program will be open for applications until 4:00 pm 30 September 2022 or when funds are exhausted, whichever is earlier.
- e) The business details (ABN) will be assessed against the eligibility criteria (see Section 1). If the business is found to be eligible, the Applicant will be advised of the outcome.

6.2 Step 2 - The first grant instalment of \$1,000 and service activity commencement.

- a) If the application is successful, the Applicant will receive a Successful Email. This will form an agreement between the Applicant and the Department on the terms contained in your application, the Successful Email, these guidelines and the conditions of grant in the application form.
- b) The Applicant will acknowledge the Successful Email by submitting the provided claim form to receive the first grant instalment of \$1,000.
- c) All form questions must be completed, and the claim form submitted as directed in the email notification to ensure timely assessment.
- d) The Department will pay the business within 20 working days of receipt of the completed claim form.
- e) The business can proceed with undertaking the eligible project with their Qualified Service Provider.
- f) Services must be completed in full before 31 January 2023.

6.3 Step 3 - The final grant instalment of \$1,000 and project completion.

- a) The Applicant will receive the final claim form via an email notification, and all form questions must be completed and submitted to receive remaining grant funds.
- b) The Applicant when submitting the final claim form must attest that the project has been completed and a \$2,000 (ex GST) payment has been made to their

Qualified Service Provider, and evidence of this advice can be furnished on request by the Department.

- c) All form questions must be completed, and the final claim form submitted by 31 January 2023.
- d) The Department will pay the business within 20 working days of confirmation of completed service.

7. Who can make an application and claim?

- 7.1 The person making the application must be a person identified on the Australian Business Register as either the owner, co-owner, associate, or authorised contact of the applicant business. The Qualified Service Provider cannot make an application on behalf of the Applicant.
- 7.2 The Applicant must submit the application form as well as the two claim forms to receive the full grant funding.
- 7.3 To confirm the identity of the person applying, details of one of the following current proof of identity document must be provided at the time of application:
 - a Victorian Driver Licence or Learner Permit; or
 - an Australian Passport; or
 - a Medicare Card; or
 - a foreign passport for those issued with an Australian Visa.
- 7.4 If the current proof of identity is unable to be confirmed at the point of application, the Applicant will receive a follow-up email with instructions to amend their proof of identity details.

8. Assessment of Eligibility

- 8.1 Grants will be allocated on a first-in first served basis to Applicants assessed as being eligible and will be notified in October 2022. The number of grants is capped to the available funds under the program.
- 8.2 Applications will be assessed using the information and evidence provided in their application form and through verification with other data sources. As part of this process, any information provided by Applicants may be shared and subject to verification with other government agencies (state and federal) including (but not limited to) the WorkSafe Victoria, the Australian Business Register and the

Commonwealth Department of Home Affairs, Tax Practitioners Board and Professional membership bodies (see Section 3).⁶

8.3 Businesses must ensure that the information listed with the Australian Business Register (ABR) as part of their ABN registration is current and accurate at the time of application.

8.4 The Applicant must attest that all industrial relations obligations as an employer in accordance with the National Employment Standards are being met.

8.5 Business registration details filed with the Australian Securities and Investments Commission, Australian Charities and Not-for-profits Commission, Consumer Affairs Victoria and/or other applicable regulators may be checked. Without limiting the Department's assessment, the following circumstances may be taken into consideration in any decision whether to award a grant:

- duplicate applications by a trustee and a trust;
- misleading amendments to information provided to public registers describing the business;
- any adverse findings by a Government agency or local council regarding a business or its operation;
- a business is, or notice has been given that it will be, placed under external administration;
- there is a petition for bankruptcy or to wind up or deregister a company or business; and
- a step is being taken to deregister the company or business (including cancellation or lapse in registration or any relevant permit).

8.6 Each application will be carefully considered and assessed against the eligibility criteria. The Department's decisions on all matters pertaining to the award of funding under this program is at the Department's absolute discretion.

8.7 Only final applications that are lodged with the Department will be considered and assessed, and applications in draft stage that have not been submitted will not be considered.

9. Waitlist

9.1 On program close (30 September 2022 or earlier if funds are exhausted) a waitlist form will be available for potential applicants to lodge their interest in the program. Submitting a waitlist form does not guarantee an invitation to participate in the program.

9.2 Subject to available funds the Department reserves the right to invite those who are found to be eligible to apply to the program on a first-in-first-serve basis. In this

⁶ The Department is not responsible for any delays caused by third party validation of a business' eligibility. By making an application, the Applicant consents to the assessment and verification process.

instance, the start and completion dates of the project will be adjusted to a commensurate time, where projects are to be completed before 30 June 2023.

10. Outcome notification

- 10.1 The Department will endeavour to notify all Applicants of the outcome of their complete application within three weeks of the program close date (30 September 2022 or earlier if funds are exhausted).
- 10.2 There may be longer processing times and delays in notification of the outcome of the application if it:
- a) does not meet the eligibility criteria;
 - b) is incomplete;
 - c) has incorrect information, such as ABN (Australian Business Number) or bank details (for successful Applicants);
 - d) does not include current or accurate information registered with relevant regulators or partner agencies, such as the Australian Business Register, WorkSafe Victoria, Tax Practitioners Board, professional membership bodies; or
 - e) requires further information to verify or validate the application and claim for funding.
- 10.3 The Department may at any time, remove an Applicant from the application, assessment process or terminate an agreement, if in the Department's opinion association with the applicant may bring the Department, a Minister or the State of Victoria in disrepute.

11. Program Evaluation

- 11.1 All grant recipients agree to comply with the Department's performance monitoring and evaluation regime including participating in an evaluation survey.
- 11.2 The evaluation enables the effectiveness/impact of the program to be assessed and an evaluation survey completed by grant recipients will be required at six months following successful application approval. This is a non-negotiable requirement for all program participants. Non-compliance could impact future applications to Department's programs. Program outcomes and participant experience may be used in program evaluation reviews and departmental marketing material.

12. Compliance and Audit

- 12.1 Grant recipients may be subject to audit by the Victorian Government or its representatives on the accuracy of their application, accounting records relating to the project, and use of government funds at the request of the Victorian Government, for a period of one year from receipt of payment
- 12.2 If any information in the application is found to be false or misleading (as determined by the Department in its discretion), or the grant payment is not applied in accordance

with the terms of funding as set out in these guidelines and the application, the grant payment will be repayable on demand.

- 12.3 If the grant recipient fails to complete the project, the Department may require the refund of the whole or part of the grant as it deems/determines appropriate, in its absolute discretion.

13. Privacy Statement

- 13.1 Information provided for this program will be used by the Department for the purposes of assessment of eligibility, program administration and program review. In registering for a grant, the Applicant applying on behalf of the entity consents to the sharing of information as outlined in Section 8 above.
- 13.2 If there is an intention to include personal information about a third party in the application, the applicant applying must ensure the third party is aware of and consents to the contents of this privacy statement.
- 13.3 Any personal information about the applicant applying or a third party will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the Privacy and Data Protection Act 2014 (Vic) and other applicable laws. Enquiries about the privacy of personal information and the Department's privacy policy can be emailed to the Department's Privacy Unit at: privacy@ecodev.vic.gov.au.

14. Other Information about this Program

- 14.1 The Department reserves the right to amend these guidelines and application terms at any time as it deems appropriate.
- 14.2 As the Victorian State election will be held on Saturday 26 November 2022, the Victorian Government will assume a caretaker role from 6.00pm on 1 November 2022 until such time that either it becomes clear that the incumbent government will be returned, or when a new government is commissioned. In line with the caretaker conventions, the incoming government will determine whether to proceed with this grant process and enter into contracts or award the grants after the caretaker period. Applicants should be aware that:
- all information about this grant process represents the position of the current government only, and is subject to change; and
 - the incoming government may decide to not proceed with this grant process.
- 14.3 If an unsuccessful Applicant considers that their application has been incorrectly assessed, they can lodge a complaint. More information can be found at <https://business.vic.gov.au/contact-us/complaints>.
- 14.4 If you have any queries about your application or require further information on the program visit business.vic.gov.au or contact the Business Victoria Hotline at 13 22 15.

Glossary

| Term | Definition |
|-----------------------------------|--|
| Applicant | <p>The legal entity specified in the Application which has submitted the application for funding under the program for the project and which will become the Recipient upon acceptance by the Department.</p> <p>The person making the application must be a person identified on the Australian Business Register as either the owner, co-owner, associate or authorised contact of the Applicant business.</p> |
| Application | The application submitted by the Applicant to the Department for funding under the program for the project |
| Department or State | The State of Victoria through its Department of Jobs, Precincts and Regions |
| Grant | The funding provided by the Department to the Recipient under this Agreement for the Project |
| Guidelines | The Specialist Advice Pathways Program Guidelines |
| Program | The Specialist Advice Pathways program |
| Project | The scope of service specified in the application by the Applicant for which the Grant is provided |
| Qualified Service Provider | An eligible organisation selected by the Applicant to provide services to the Applicant, supported by Grant funding |
| Recipient | The Applicant as specified in the Application where the application has been accepted by the Department, by the issue of a Successful Email |
| Scope of Service | A scope of service is a detailed work order and an activity conducted by a Qualified Service Provider that is supported by a Grant. A scope of service helps define the services being sought and details what services are required. |
| Service Agreement | Documents a transaction where the Qualified Service Provider provides a service to the Recipient. A Service Agreement is prepared by the Qualified Service Provider and details services, timelines and costs. |