

NSW Government Financial Assistance

Q and A from online seminar meeting held 20th August 2021

From Wendy White to Everyone: 01:26 PM

I you have no wages, would you still be eligible for small business fees and charges rebate

You will be able to apply for the Small Business Fees and Rebates Grant as you are under the Payroll Tax threshold to meet the eligibility. Zero is below the threshold of \$1.2m.

From Sossie to Everyone: 01:27 PM

Also does Minister's Stipend count as Wages?

In the instance where your only 'employee' is an Ordained Minister, reducing your headcount to zero and your wages to zero, you will still be eligible to apply for the streams of support that are available. You will still be eligible as a non-employing entity. Note that you will still have to meet the eligibility requirements for the specific Grant.

I have copied, below, the relevant sections from the Business Grant page on the Service NSW website:

Micro Business Grant

2. Available funding

2.1 Eligible businesses (including non-employing businesses such as non-employing sole traders) and not-for-profit organisations can apply for a fortnightly payment of \$1,500 to cover business expenses for the period in which they experience a decline in turnover as a result of the Public Health Order.

Non-employing business means a business that does not have employees. This may include a range of entity types, such as non-employing sole traders or any other businesses without employees.

LINK: [2021 COVID-19 micro-business grant – Guidelines | Service NSW](#)

COVID-19 Business Grant

2. Available funding

2.1 Eligible businesses (including non-employing businesses such as non-employing sole traders) and not-for-profit organisations can apply for a one-off grant of \$7,500 (tier one) or \$10,500 (tier two) or \$15,000 (tier three) via one application:

- **\$7,500 (tier one):** Businesses that have experienced a decline in turnover of 30% or more due to the Public Health Order will be eligible for a grant of \$7,500.
- **\$10,500 (tier two):** Businesses that have experienced a decline in turnover of 50% or more due to the Public Health Order will be eligible for a grant of \$10,500.
- **\$15,000 (tier three):** Businesses that have experienced a decline in turnover of 70% or more due to the Public Health Order will be eligible for a grant of \$15,000.

Non-employing business means a business that does not have employees. This may include a range of entity types, such as non-employing sole traders or any other businesses without employees.

LINK: [2021 COVID-19 business grant – Guidelines | Service NSW](#)

COVID-19 JobSaver Payment

2.2 Eligible businesses and not-for-profit organisations with employees will receive the equivalent to 40% of weekly Payroll for work performed in New South Wales provided:

- the minimum payment will be \$1,500 per week, and
- the maximum payment will be \$100,000 per week.

2.3 Eligible businesses and not-for-profit organisations that do not have any employees will receive \$1,000 per week.

Non-employing business means a business that does not have employees. This may include a range of entity types, such as non-employing sole traders or any other businesses without employees.

LINK: [COVID-19 JobSaver payment – Guidelines | Service NSW](#)

From Janelle to Everyone: 01:35 PM

Do you have to make the claim of \$1500 every fortnight?

For Job Saver, or the Micro-Business Grant, my understanding is that there is no requirement to submit a claim each fortnight. Payments are made each fortnight for the period of the lockdown. You must notify Service NSW if there are any changes in headcount, even if they have left of their own accord.

From maxine_pc to Everyone: 01:41 PM

Does the ATO CV19 stimulus income or JobKeeper payment be included in the turnover figure?

'Turnover' is determined on the same basis as was used for the JobKeeper scheme last year, i.e. GST turnover. This means offerings and donations, property income from commercial leases and licences, other taxable or GST-free supplies (certain ministry events and activities), along with grants from both UCA organisations and government are to be included.

'Turnover' does not include interest, trust funds distributions from client funds and residential lease income.

From Brenda to Everyone: 01:41 PM

Can you claim more than one grant

Yes, you may be able to apply for more than one. Note that you must meet the eligibility requirements for each. If you have under \$75k turnover, you can apply for the Small Business Fees and Charges and the Micro-Business Grant. Refer to below where it is outlined that those that apply for Micro-Business Grant can apply for the Small Business Fees and Charges Rebate:

5.4 Businesses that received the \$1,500 Small Business Fees and Charges Rebate can apply for this Grant.

LINK: [2021 COVID-19 micro-business grant – Guidelines | Service NSW](#)

If you have over \$75k turnover and below \$250m turnover, you can apply for the Business Grant and JobSaver payments.

If you apply for the Business Grant and you are successful, you are more than likely to be eligible for the JobSaver Grant. Not that as they require additional information (ie. wages related) it is best to apply for each at the same time to avoid any delay.

Note, that business grant cannot be used to cover expenses for which other government support is available, such as government fees and charges that would be covered by the small business fees and charges rebate. The best option is to assess if you are eligible for the Business Grant/JobSaver Payment, and if not able to obtain them, then look at the Micro-Business Grant and lastly the Small Business Fees and Charges rebate.

From Marilyn Mosher to Everyone: 01:47 PM

We have a pastor rather than an ordained UCA minister. Is he also excluded?

An Ordained Minister is not considered a common law employee. As such they are excluded from headcount and also from the Wages calculation.

A Minister who has been commissioned into the Lay Ministry of Pastor, though they do obtain tax benefits that are similar to an Ordained Minister, are considered employees and can be included in your headcount and calculation of wages.

From Janelle to Everyone: 01:48 PM

Are there any ongoing Business Grant Payments?

The Micro-Business grant is a fortnightly payment for the duration of the lockdown of a flat \$1,500.

The Business Grant is a one of payment of between \$7,500 and \$15,000 dependant on your decline in turnover.

JobSaver is a fortnightly payment for the duration of the lockdown. This is equal to 40% of your wages, with a minimum of \$1,500 and a maximum of \$100,000 paid in each fortnight.

From Barbara Moore to Everyone: 01:51 PM

How do you check "maintain headcount"? Compared to what exactly?

Maintaining headcount is based on maintaining headcount as at the date specified under the relevant Grant. Headcount is determined to be the headcount as at the 13th of July 2021 across all Grants that require this.

Note that 'maintaining' meant that the business maintaining its headcount through its own actions. If an employee chooses to resign or leave the business due to personal reason, this is beyond the control of the business. In this circumstance, the business is still eligible under the relevant Grant.

This is directly from the Service NSW Website:

Maintain their employee headcount means the employer will not take active steps to end the employment relationship with their employees. Employees who have been stood down under the Fair Work Act 2009 or take leave without pay are considered employees for the purpose of headcount. Businesses will remain eligible if their employee headcount declines for reasons outside the control of the employer, for example if employees voluntarily resign.

LINK: [2021 COVID-19 business grant – Guidelines | Service NSW](#)

From Cathie Cochrane to Everyone: 01:52 PM

can the headcount be an online viewer count as well as in person count?

Not sure what you are referring to with this question. Headcount refers to the number of staff that are employed by your Congregation. Please email

From Janelle to Everyone: 01:53 PM

Can the congregation have a my service registration?

An individual must have a Service NSW account. They can then link their individual profile to a Business Profile.

In this instance the application must be submitted by an individual who has a separate Service NSW account. It is this individual who signs the declaration as part of the application process. If the application is being submitted by your accountant, they must be provided with a letter of authority.

From enquiries@chitticklodge.org.au to Everyone: 01:55 PM

How do you find out who is on ABR? They won't tell you!

This is something that has become problematic and is not something I can answer. I have heard that you can call Service NSW and they may tell you, but I believe they are under no obligation to provide this information. The phone lines are quite long and they may not provide you with this information.

Alternatively, you can contact the ABR and enquire as to how to update the authorised contacts and fill out any necessary documentation.

If you are unsure who is on the ABR, it would be best to contact a Tax Agent, BAS Agent or your accountant to have the applications submitted for you. Note that you will have to have a letter of authority provided to them to indicate they can act on your behalf.

If you have an accountant lodge an application on your behalf, you can provide them with a letter of authority to lodge the application.

From Janelle to Everyone: 01:56 PM

To qualify for jobsaver, the wages bill needs to exceed \$3500 per week excluding the minister (ie 1500 is 40% of 3500). Is this correct?

*There is no 'floor' for you to qualify for JobSaver. You will be paid a minimum of \$1500 if your wages bill is under \$3,500. For example, if you pay \$2,000 per week in wages, you will receive the minimum amount of \$1500 (ie. $\$2000 * 40\% = \800 , which is below the minimum payment).*

Note that under JobSaver Payment, the support is specifically designed to support business costs to ensure that employee headcounts are maintained. The Service NSW website outlines as follows:

Eligible businesses can use JobSaver to cover business costs incurred due to the impacts of the public health order in NSW. These costs may include:

- salaries and wages
- utilities and rent
- financial, legal or other advice
- marketing and communications
- perishable goods
- other business costs.

The methodology of the calculation of the level of support provided is focused on the Wages that are paid. The government, by providing support for small employers ensures that these organisations continue to maintain headcount and greater support for their business costs.

From Jim Vickery KOGARAH STOREHOUSE to Everyone: 01:56 PM

The Storehouse has just been awarded a COVID Community Support Program grant. Is this "other government support"?

I am not aware of this Grant, it may be best to contact Service NSW and discuss with their concierge service.

From enquiries@chitticklodge.org.au to Everyone: 01:56 PM

If you have casuals and you have not employed them since 13 July due to lockdown, are they still in headcount?

If you have not taken active steps to end the employee relationship with the casual staff member, they are still considered an employee. Not rostering on for work does not mean they are no longer employed. Casuals are still required to be officially terminated or officially resign under to notify that the employment relationship has ceased.

Below is taken directly from the Service NSW Website:

Maintain their employee headcount means the employer will not take active steps to end the employment relationship with their employees. Employees who have been stood down under the Fair Work Act 2009 or take leave without pay are considered employees for the purpose of headcount. Businesses will remain eligible if their employee headcount declines for reasons outside the control of the employer, for example if employees voluntarily resign.

LINK: [2021 COVID-19 business grant – Guidelines | Service NSW](#)

Do Grants contain GST?

No.

From Benkorp Team to Everyone: 01:57 PM

Religious Services are considered Highly Impacted industries list. I thought that the accountant's letter is not required as supporting documentation.

I have sought clarification on this as the Service NSW website is not consistent in their wording in different areas as to whether this is required.

In this instance, as Congregations are Highly Impacted Industries, there is no requirement to have a letter signed by an accountant. This can relieve some of the need to engage a Tax Agent, BAS Agent or qualified accountant. There must only be a declaration made and the qualified accountant, registered tax agent or registered BAS agent details.

Note, that if you are unaware of the associated listed on the ABR, you may still need qualified accountant, registered tax agent or registered BAS agent may apply for the grant on behalf of your congregation. You will need to provide a letter of authority from you to show that they are authorised to act on behalf of your congregation if they are not listed as an associate on the Australian Business Register.

From Kim Huggonson to Everyone: 01:58 PM

Hi there - our church would have a dependency on the "passive" interpretation. Would we be able to get some assistance from you on this interpretation? Many thanks for this session :-)

These are assessed on a case-by-case basis on the circumstances. I would need more details to make an assessment.

I am inclined to apply the passive income ineligibility quite strictly and if the rental income is over 50% i would not apply as you would be ineligible.

In regard to your situation with the 'passive income', it might be best to discuss this with an accountant if you have a relationship with one. They would have a better idea of your Congregation and its operations and can make a determination.

Another option I would suggest contacting Service NSW and speaking with them. They do have a concierge service that may be able to assist with this. You may be waiting on the phone for an hour to get through to speak with someone and the concierge may call you back to discuss.

Note, there is no passive income requirement under the Business Fees and Charges Rebate. This one is the only stream of support so you would be eligible to apply for currently.

From Matthew Wood to Everyone: 01:59 PM

Is it OK if the accountant that signs the letter happens to be a member of the church congregation?

Thanks for the great session!

Matthew, this appears to differ depending on the Grant you are applying for. Under the Micro-Business Grant, it refers to the below Independent Practitioner on the Service NSW website as part of the terms and conditions, though there is no reference to this term anywhere else:

Independent Practitioner means:

- *a qualified accountant as defined in the Corporations Act 2001;*
- *a registered tax agent as defined under the Tax Agent Services Act 2009; or*
- *a registered BAS agent as defined in the Tax Services Act 2009,*

who is not:

(a) an employee or director of the applicant;

(b) an associated entity of the applicant; or

(c) a director or employee of an associated entity of the applicant.

LINK: [Apply for the 2021 COVID-19 micro-business grant | Service NSW](#)

Under, both the JobSaver and Business Grant terms and conditions, there is only a reference to the following:

Practitioner means:

- *a qualified accountant as defined in the Corporations Act 2001 (Cth)*
- *a registered tax agent as defined under the Tax Agent Services Act 2009 (Cth); or*
- *a registered BAS agent as defined under the Tax Services Act 2009 (Cth).*

LINK: [2021 COVID-19 business grant – Terms and Conditions | Service NSW](#)

From a Synod view, the advice that we are passing along is that it is preferable seek an 'independent practitioner' per the definition to avoid any possible conflicts. The Synod is also of the view that staff in the Synod office are not independent practitioners, and we are unable to lodge or sign on the behalf of congregations.

Note that it is a condition of the application that you do have sufficient documentation and evidence available to demonstrate that you meet the eligibility requirements. The terms and conditions clearly outline that you may be audited. Please ensure that you retain and store and supporting documents in case this arises.

From Julie Watts to Everyone: 02:01 PM

most congregations receive exemptions from local government council and water rates other than for commercially rented manses. Does this concession equate to receiving government support from another source? for the government fees and charges support.

The Service NSW website outlines that all NSW Government charges and fees and local council rates and charges relating to the cost of business are eligible, except for those that are specifically excluded.

7.2 All NSW Government fees and charges will be eligible, excepting those that are specifically excluded under the exclusion criteria.

7.3 Exclusion criteria include:

- fines and penalties
- fees and charges in place that have the key purpose of discouraging or inducing behaviour changes
- Commonwealth government charges
- rent on government premises
- NSW and Commonwealth government taxes.

A full list of excluded items are provided in the following:

LINK: <https://www.service.nsw.gov.au/small-business-fees-and-charges-rebate-guidelines#appendix-a>

In this case the application can be submitted for all government fees and charges.

Below is a link to all the eligible charges,

LINK: [eligible-fees-and-charges-small-business-fees-and-charges-rebate.pdf \(nsw.gov.au\)](https://www.service.nsw.gov.au/eligible-fees-and-charges-small-business-fees-and-charges-rebate.pdf)

From Ian Goff - Sydney Presbytery to Everyone: 02:08 PM

That Q about the Council bills is a good one. Yes Rates are exempt for Manses if housing a Ministry Agent, however in Sydney most Councils add domestic waste and other charges. I would be looking to claim those if that can be confirmed please.

Thanks

The Government Fees and Rebates are outlined on the Service NSW website. Due to the number of different fees and charges that are available to be claimed, please refer to the below link, though Waste Services and Water Services may be applicable to you.

LINK: [eligible-fees-and-charges-small-business-fees-and-charges-rebate.pdf \(nsw.gov.au\)](https://www.service.nsw.gov.au/eligible-fees-and-charges-small-business-fees-and-charges-rebate.pdf)

From David to Everyone: 02:09 PM

Turnover does not include residential rents. Does passive income include residential rents?

Yes, the determination of 'turnover' is a different calculation to the determination of primarily earning income from passive sources.

Note that there are two tests that need to be satisfied:

1. **Aggregated Turnover:** *based on the grant, the requirements for aggregated turnover are as follows:*
 - a. *Micro-Business Grant: \$30,000 to \$75,000*
 - b. *Business Grant: \$75,000 to \$250million*
 - c. *JobSaver Payment: \$75,000 to \$250million*

Your Aggregated turnover is based on your ordinary income earned in the ordinary course of business for the income year. This is defined aggregated turnover as defined in s. 328-115 of the Income Tax Assessment Act 1997 (Cth) ("ITAA 97").

2. **Decline in Turnover:** *once you have passed the above test, you then test whether you meet the required decline in turnover*

When comparing the decline in turnover, you look at a minimum two-week period (any period you choose) and compare it a two-week period as outlined below. You can choose any two-week period and move the dates as required to meet one of the three periods below to meet the downturn eligibility requirement.

*For the **Micro-Business Grant**, the dates for the two week comparison are:*

have experienced a decline in turnover of 30% or more due to the public health order over a minimum 2-week period within the period of restrictions (commenced 26 June 2021) (A), compared to:

- *the same period in 2019, or*
- *the same period in 2020, or*
- *the 2 weeks immediately prior to any restrictions of 12 June to 25 June 2021 (inclusive).*

LINK: [Apply for the 2021 COVID-19 micro-business grant | Service NSW](#)

*For the **Business Grant**, the dates for the two week comparison are as follows:*

have experienced a decline in turnover of 30% or more due to the public health order over a minimum 2-week period from 26 June 2021 to 17 July 2021 (B) compared to:

- *the same period in 2019, or*
- *the same period in 2020, or*
- *the 2 weeks immediately prior to any restrictions of 12 June to 25 June 2021 (inclusive).*

LINK: [Apply for the JobSaver payment | Service NSW](#)

For **JobSaver Payment**, the dates are slightly different, with the period is as follows:

have experienced a decline in turnover of 30% or more due to the public health order over a minimum 2-week period commencing 26 June 2021 (C) compared to:

- *the same period in 2019, or*
- *the same period in 2020, or*
- *the 2 weeks immediately prior to any restrictions, 12 June to 25 June 2021 (inclusive).*

LINK: [Apply for the JobSaver payment | Service NSW](#)

The calculation must look at the period outlined in 2021 above (refer to A, B or C) and be compared to one of the three options above.

Note that for the calculation for these grants, Turnover has been determined to include Donations. See below comment from slides. What this means is by adding back the donations to the calculation of Turnover (Based on GST turnover), these are also used to indicate a decrease in turnover. Essentially what this means is that you can take your Income from your Accounting Records (including Donations) and subtract from this any interest, trust fund distributions and residential lease income. This will give your turnover amount, which you can isolate for 2 weeks. The same is also done for the period that you are comparing to see if there has been a decline.

This process is a similar process to the JobKeeper arrangement from last year.

- 'Turnover' is determined on the same basis as was used for the JobKeeper scheme last year, ie. GST turnover. This means offerings and donations, property income from commercial leases and licences, other taxable or GST-free supplies (certain ministry events and activities), along with Grant from both UCA organisations and government are to be included.
- 'Turnover' does not include interest, trust funds distributions from client funds and residential lease income.