

WESTERN AUSTRALIAN

TRAVEL AGENTS SUPPORT FUND

GUIDELINES & FAQ'S

Closing Date: 3.00pm (AWST) Friday 8 April 2022



Tourism
WESTERN AUSTRALIA

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ABOUT THE TRAVEL AGENTS SUPPORT FUND

The health, safety and wellbeing of Western Australians is the Western Australian Government's number one priority and this necessitated the delay in the easing of State border controls from February to March 2022.

The Government recognises the importance of tourism to the State's economy and understands the delayed border opening impacted tourism and travel agent businesses with a higher reliance on interstate and international visitation and/or travel opportunity.

It is acknowledged that this decision may have challenged travel agent businesses that were preparing to resume regular business operations, but whose clients were unable to travel to and from Western Australia until the 3 March 2022 date was announced.

The ***Travel Agents Support Fund*** is designed to assist travel agent businesses affected by the delayed border opening. The Program provides eligible home-based agents with funding relief of between \$5,000 and \$10,000 (depending on commission levels) and \$20,000 for brick-and-mortar businesses. This Program is not subject to GST.

The Program will remain open for applications until 3:00pm, Friday 8 April 2022. Applications will be assessed and processed as received.

1. ELIGIBILITY FOR THE TRAVEL AGENTS SUPPORT FUND

NOTE : Recipients of this WA Travel Agents Support Fund may be subject to audit

To be eligible for the Program, travel agent businesses must comply with all of the criteria A to F (set out below):

- A. Be a travel agent business operating as either a brick-and-mortar business or home-based business and fall within the following description of a “travel agency business”:**
 - A business that primarily provides travel information, reservation and booking services for transport (e.g. planes, ships and rental cars); accommodation (e.g. hotels, motels and serviced apartments); and tourist attractions (e.g. theme and amusement parks and museums) to individuals and business travellers.

- B. Be located, owned and operated in Western Australia;**

- C. Have a valid and active Australian Business Number (ABN) prior to 20 January 2022;**

- D. Have a minimum commission* level of \$25,000 for the 2018-19 financial year;**

- E. Experienced at least a 30 per cent reduction in commissions turnover* by comparing the financial year 2018-19 to financial year 2020-21; and**

- F. Be an active and operating registered travel agency business.**

** Commissions turnover relates only to the earned commissions and margin revenue, exclusive of GST, for the financial year. Commissions Turnover does not relate to the total sales attributable to bookings made.*

Note: Applications may be considered from multiple businesses operating under one ABN, but business owners are required to demonstrate that all businesses are eligible under the Program Guidelines, are actively operating and are separate in nature.

2. INELIGIBLE BUSINESSES

Businesses that are **not** eligible for this support include:

- A. Those that do not meet the above eligibility criteria;
- B. Businesses that are not the main source of taxable income for an owner-operator;
- C. Hibernated or closed travel agency businesses;
- D. Any business or sole trader that is trading whilst insolvent, under external administration or bankrupt; or
- E. Businesses securing financial support from the **WA Tourism Deposit Refund Program** or the **WA Tourism Support Program**. Businesses can only apply for funding under one of the Safe Transition Industry Support Package programs.

3. PROGRAM PAYMENT

Support Fund payments will be provided to eligible travel agents as follows:

\$5,000	Eligible home-based travel agency businesses who in the 2018-19 financial year employed no staff and had an earned annual commission* level of between \$25,000-\$50,000;
\$10,000	Eligible home-based travel agency businesses who in the 2018-19 financial year employed no staff and had an earned annual commission* level above \$50,001;
\$10,000	Eligible home-based travel agency businesses who in the 2018-19 financial year employed staff and had an earned annual commission* level of at least \$25,000;
\$20,000	Eligible brick-and-mortar travel agency businesses.

* *Commission level*

Total earned commissions and margin revenue, exclusive of GST, for the 2018-19 financial year. Applicants are required to attach a copy of the financial statement (audited if available) identifying the commission level earned.

Eligible applicants will receive the payment direct to their nominated business bank account.

4. HOW TO APPLY

Applicants should read these Program Guidelines in full to ascertain their eligibility. Only applications with fully completed mandatory requirements will be considered for the Travel Agents Support Fund.

The following information will be required to complete the application form for the WA Travel Agents Support Fund:

Mandatory requirements:

1. Full contact details of the business, including legal entity name and business trading name.
2. A valid and active ABN prior to 20 January 2022.
3. Details of your nominated business bank account, including a copy of a business bank statement (or other proof from your bank) showing your bank account name, bank BSB and account number.
4. Confirmation that the travel agency business is operating in Western Australia and adheres to the definition identified for a travel agency.
5. Copy of the business' financial statement (audited if available) for the financial years 2018-19 and 2020-21, showing annual commission level (exclusive of GST).

The 2018-19 financial statement will demonstrate:

- a. The business' commission level prior to the onset of COVID-19 impact;
- b. For home-based travel agents, whether the business employed staff.

The 2020-21 financial statement will demonstrate:

- a. When compared to the 2018-19 financial statement, whether the business has seen a minimum of 30 per cent reduction in commission levels.
-
6. Provide evidence that the travel agency business had been actively operating in at least the preceding quarter, in preparation for the anticipated former State border opening on the 5 February 2022. Evidence can include, but is not limited to:
 - a. A recent AFTA accreditation;
 - b. Recent marketing activity whether it be website, social media or e-newsletter promotion; or
 - c. Submission of the December 2021 quarter BAS Statement.

HOW TO APPLY - CONTINUED

Applicants need to complete and lodge an application online via Tourism WA's corporate website, tourism.wa.gov.au.

Tourism WA uses an online grants management system called SmartyGrants. This system is easy to use and accessible via mobile phones, tablets, laptops and personal computers. The online platform will accept applications at any time during the time period for applications for the Travel Agents Support Fund. The system also allows Tourism WA to send you notifications throughout the application process. This is the same system as has been used for previous support programs.

If you do not have internet access, please contact Tourism WA (refer to section 7) to discuss alternate lodgement options.

To complete and lodge an application, **follow the steps below:**

- Step 1 Go to the Industry Support page on Tourism WA's corporate website www.tourism.wa.gov.au.
- Step 2 Take the following pathway:
Industry support and events > Resources for businesses and operators > Coronavirus information > [WA Tourism Funding Programs](#)
- Step 3 Read the Guidelines for each of the three (3) funding support programs currently available under the **Safe Transition Industry Support Package** to determine the most suitable Program for your business. Please note, operators can only apply and be successful under one of the three programs.
- Step 4 Click on the 'Apply here' link.
- Step 5 Complete the registration process. You will receive an email confirming your registration and your reference number (TASF#).
- Step 6 Complete the online application form. You can save and return to the form as many times as you need.
- Step 7 Once your application form has been completed, click 'submit'. Ensure it is submitted prior to the noted closing time. The program will automatically close on the specified time, so ensure you give yourself enough time for the form to fully upload.
- Step 8 You will receive an automated email acknowledging that your application has been received, along with a copy of your application. Without this acknowledgement, your application has not been submitted.

5. TIMEFRAMES

Tourism WA anticipates that there will be a high volume of applications and will endeavour to process eligible Travel Agents Support Fund payments as quickly as possible.

Applications for the WA Travel Agents Support Fund open at 10:00am, Friday 4 March 2022 and close at 3:00pm, Friday 8 April 2022. Late or incomplete applications will not be considered.

All times listed are in Australian Western Standard Time (AWST).

Tourism WA reserves the right to amend this timeframe without notice.

6. SUBMISSION OF APPLICATION(S)

Agreement	By submitting your application(s), you are acknowledging and agree to be bound to the General Terms and Conditions included in these guidelines.
Acknowledgement	You will receive an automated email acknowledging your application.
Assessment	An assessment process will be undertaken by Tourism WA.
Notification	Eligible applicants will receive a remittance advice to the email address nominated in the application and payments will be made directly into the nominated bank account. Ineligible applicants will be notified in writing.

7. CONTACT

All enquiries regarding the WA Travel Agents Support Fund can be directed to:

tourismfund@westernaustralia.com

8. GENERAL TAX INFORMATION

This section provides a general overview of the income tax and GST considerations of the Program for applicants. This overview is general in nature and does not attempt to be a complete analysis of the taxation consequences that may arise for a particular applicant. Applicants are strongly advised to consult with a qualified tax agent/advisor to get advice in light of their particular circumstances and outcomes.

Income tax

Subject to an applicant's specific circumstances, the receipt of funding from this Program may be treated as assessable income. We strongly recommend that potential applicants seek independent advice about the possible income tax implications from a qualified tax agent/advisor, or the Australian Taxation Office, prior to submitting an application.

GST

Tourism WA regards the funding to be provided under the Program as not subject to GST as applicants will not be making any supply to Tourism WA in consideration for the funding. Payments will not be grossed up for GST.

Tax invoices and recipient created tax invoices

Tourism WA will issue a payment remittance advice to eligible applicants to evidence the payment of the funding to the applicant's nominated business bank account.

Applicants are requested not to issue a tax invoice for their payment, and Tourism WA will not issue a recipient created tax invoice for the payment, as no GST will apply.

ABN

The Western Australian Tourism Commission (trading as Tourism WA) is registered for GST and has been issued with an ABN: 95 468 665 668.

GENERAL TERMS AND CONDITIONS

1. Cancellation and Variation

Tourism WA reserves the right, at any time and from time to time, to (in whole or in part) cancel, vary, supplement, supersede or replace the WA Travel Agents Support Fund ('the Program').

If Tourism WA cancels, varies, supplements, supersedes or replaces the Program, then:

- a) Tourism WA will advise each applicant that the Program has been cancelled, varied, supplemented, superseded or replaced; and
- b) The applicant shall not have any recourse against Tourism WA whatsoever including claims for any costs or expenses incurred by the applicant in applying for funding through this Program.

2. Tourism WA's Rights

Tourism WA is under no obligation to accept any application and may reject any application at Tourism WA's absolute discretion for any reason. This includes but is not limited to the following:

- a) If an application fails to comply with the requirements of the Program;
- b) If an application is incomplete or contains information or representations that are false or misleading;
- c) If Tourism WA decides to cancel the Program, or exercise any other right referred to in clause 1 above, due to changes of policy or for commercial reasons.

After an application is received, Tourism WA may:

- a) Request additional information from the applicant in relation to the content of its application form for the sole purpose of clarifying the application. The applicant must comply with such a request.

If an eligible applicant has an outstanding financial acquittal related to another grant or funding program including the *WA Tourism Business Survival Grant program*, Tourism WA may defer the funding payment or provision of the funding payment from the WA Travel Agents Support Fund until the applicant has completed and finalised acquittal of the other grant or funding program.

After a funding payment is made to an applicant, Tourism WA may, at its absolute discretion:

- a) Conduct random or specific audits of any or all of the information provided by the applicant;
- b) Request additional information from the applicant if Tourism WA reasonably believes that any of the information provided by the applicant may be incomplete, false or misleading; and
- c) Seek recovery of some or all of the funding paid to the applicant if Tourism WA decides that an applicant no longer satisfies, or never did satisfy, the eligibility criteria for the funding Program. The obligation for an applicant to repay Tourism WA any funding represents a debt due and payable by the applicant to Tourism WA.

Each applicant, in submitting an application, warrants and represents that all information and representations (in whatever form) given to Tourism WA under, as part of or in connection with the Program or the application, is true and correct, complete, and up-to-date, and in no way misleading or deceptive.

Despite anything expressed or implied to the contrary in these General Terms and Conditions, the Program Guidelines, or any other documentation associated with the Program, no applicant shall have or assert any legal (including equitable) rights under, in connection with, on account of, or associated with any of the aforesaid documents or the Program.

3. Submission Process

The applicant must submit their application electronically through the website link <https://tourismwares.smartygrants.com.au/TASF2022>, noting the following conditions:

- a) Receipt of the application will be determined by the date and time shown on the 'in-box' that the application was received;
- b) Lodgement of electronic files may take time and the applicant must make their own assessment of the time required for full transmission of their application;
- c) If the electronic copy of the application contains a computer virus then, notwithstanding any disclaimer made by the applicant in respect of computer viruses, the applicant must pay to Tourism WA all costs

incurred by Tourism WA arising from, or in connection with, the computer virus;

- d) Tourism WA will not be responsible or liable (in negligence or howsoever) in any way for any loss, damage or corruption of the electronic copy of the application;
- e) If the electronic copy of the application becomes corrupted, illegible or incomplete as a result of transmission, storage, encryption or decryption, then Tourism WA may request the applicant to provide another copy of the application either electronically or in hard copy or both;
- f) If Tourism WA requests the provision of another copy of the application, then the applicant must:
 - (i) Provide the copy in the form or forms requested within the period specified by Tourism WA; and
 - (ii) Provide a statutory declaration that the copy is a true copy of the application which was electronically submitted by the applicant and that no changes to the application have been made after the initial attempted electronic submission.

4. Assessment Process

Applications must be received before the stipulated closing date and time.

An assessment of each application will be undertaken against the criteria identified above (Item 1 Eligibility) to confirm that the information submitted is complete, correct and accurate, prior to any offer of funding.

5. Withdrawal of Application

The applicant may withdraw their application at any time prior to acceptance of its application, by notifying Tourism WA in writing.

6. Disclosure of Applicant Information

The applicant agrees and acknowledges in regard to their application that:

Information is subject to the *Freedom of Information Act 1992 (WA)* and may also be disclosed by Tourism WA, or the State of Western Australia under a court order or upon request by Parliament or any committee of Parliament or if otherwise required by law.

By submitting an application, the applicant releases Tourism WA and the State of Western Australia from all liability (in negligence or howsoever) whatsoever for any loss, injury, damage, liability, costs or expense resulting from the disclosure of the application and information pertaining to the applicant or the application under this clause 6 by Tourism WA or the State of Western Australia.

The applicant agrees and acknowledges that the powers and responsibilities of the Auditor General for the State of Western Australia under the *Financial Management Act 2006* and the *Auditor General Act 2006* are not affected in any way by the application.

Subject to this clause and to the provisions of the *Financial Management Act 2006* and the *Auditor General Act 2006*, Tourism WA will not make public any part of the application or any application information that the applicant expressly and reasonably nominates in their application as confidential. However, Tourism WA may require the applicant to withdraw any claim to confidentiality in respect of any part of the application information as a condition of acceptance of the application.

7. Appealing a Decision

Tourism WA may reconsider a decision if the applicant can demonstrate a proven conflict of interest or error in process.

If an applicant has reason to believe that the proper process was not followed in assessment of an application, an appeal may be submitted.

Grounds for appeal are:

1. The persons making the decision had a direct or indirect financial interest in the outcome of the application.
2. The preparation of the application was affected adversely by incorrect advice provided by a staff member of Tourism WA.

All requests for appeal must be in writing and should be addressed to the Managing Director of Tourism WA. A request for appeal must be received within 28 days from the date Tourism WA notified an applicant of the decision.

The appeal will be considered by personnel not involved in the original decision and the appellant will be formally notified of the outcome.

8. No Bribe, Inducement or Offer of Employment

The applicant must not, without the prior written consent of Tourism WA, directly or indirectly approach or communicate with any officer or employee of Tourism WA or the Department of Jobs, Tourism, Science and Innovation having any connection or involvement with the Program, with respect to:

- (a) an offer of employment; or
- (b) availability of employment

with the applicant or any related entity of the applicant.

The applicant must not directly or indirectly offer a bribe, gift or inducement to any officer or employee of Tourism WA or the Department of Jobs, Tourism, Science and Innovation in connection with the Program.

9. Repayment If No Entitlement

If an applicant receives funding under the Program from Tourism WA and it comes to the attention of Tourism WA that the applicant was not entitled, to all or part of that funding, Tourism WA will demand repayment of all or part/s of that funding (as the case may be) that the applicant was not entitled to receive.

The applicant will be required to repay the funding within 14 days of being notified by Tourism WA to do so.

10. General

To the fullest extent permitted by law all implied terms and conditions are excluded from these General Terms and Conditions.

These General Terms and Conditions are governed by the laws of Western Australia.

11. Laws

Each applicant must comply with all requirements and rules of each statute, subsidiary legislation, the common law and equity in respect of their application and the Program.

12. Definitions

In these General Terms and Conditions:

Program or **Fund** means the Western Australian Travel Agents Support Fund and/or WA Travel Agents Support Fund and/or Travel Agents Support Fund, and associated processes, and requirements and benefits described in both the Program Guidelines and these General Terms and Conditions; and

Program Guidelines or **Guidelines** means the document titled "Western Australian Travel Agents Support Fund Guidelines".

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TRAVEL AGENTS SUPPORT FUND

FREQUENTLY
ASKED
QUESTIONS



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FREQUENTLY ASKED QUESTIONS

What defines a travel agency business?

For the purposes of the Travel Agents Support Fund, a travel agency business is defined as a business that primarily provides travel information, reservation and booking services for transport (e.g. planes, ships and rental cars); accommodation (e.g. hotels, motels and serviced apartments); and tourist attractions (e.g. theme and amusement parks and museums) to individuals and business travellers.

Why has the date of 20 January 2022 been used for eligibility?

20 January 2022 is the date on which the Western Australian Premier announced a change to the 5 February 2022 hard border arrangements.

Can I still apply if I do not have an ABN (prior to 20 January 2022)?

No. This Program is only available to registered businesses with a valid and active ABN prior to 20 January 2022.

I have more than one travel agency business, can I apply multiple times?

Yes. If the businesses are separate and operating under different ABNs then you may make more than one application. Each business will be assessed individually to ensure it meets the eligibility criteria.

I have more than one travel agency business under the one ABN, can I apply for each of my businesses if they meet the eligibility criteria?

Yes. Applications may be considered from multiple businesses operating under one ABN, but business owners are required to demonstrate that all businesses are eligible under the Program Guidelines, are actively operating and are separate in nature.

Can I still apply if my business is online only?

Yes, provided your business meets all the eligibility criteria.

Can I apply as a franchisee?

Yes. Franchisees can apply provided the business meets the eligibility criteria, however franchisors are generally not eligible to apply.

If my business is located outside of WA, but I service customers in the state, can I apply?

No. Only travel agency businesses that based in WA are eligible to apply.

My travel agency business was not operating in 2018-19, can I still apply?

This Travel Agents Support Fund is providing financial support for the businesses that were operational in 2018-19 and were affected as a result of COVID-19 and the ongoing challenges experienced by the business while border restrictions were in place.

If your business was not operational in 2018-19, but began in 2019-20 prior to the declared onset date of the COVID-19 pandemic in Western Australia (WHO declared start date 11 March 2020) please contact tourismfund@westernaustralia.com to discuss your circumstances.

What evidence do I have to attach to my application?

The following items are required :

- Copy of the business' financial statement (audited if available) for the financial years 2018-19 and 2020-21, showing annual commission turnover (exclusive of GST). The financial statements will demonstrate that the business has experienced a minimum of 30 per cent reduction in commission turnover through the COVID-19 pandemic period and confirm whether the home-based business was employing staff.
- Proof of bank details (see FAQ below)
- Proof that the travel agency business is active and operating (see FAQ below)

What Financial Statements do I provide and what is the definition of turnover?

Home-based and bricks-and-mortar travel agency businesses, are required to provide a copy of the business's 2018-19 and 20-21 financial statements (audited if available) showing annual commission turnover (exclusive of GST) based on the definition that turnover relates only to the earned commissions and margin revenue, exclusive of GST, for the financial year. Commission turnover does not related to the total sales attributable to bookings made. Please ensure the business' financial statements clearly demonstrate turnover as per this definition.

How can I show that I am an active and operating travel agent?

You are requested to demonstrate that your business is an active and operating travel agent in at least the last quarter (December 2021) and were preparing for the anticipated opening of the WA border on the 5 February 2022. This can be evidenced in a number of ways, including but not limited to:

- A recent AFTA accreditation;
- Recent marketing activity whether it be website, social media or e-newsletter promotion;
- Submission of the December 2021 quarter BAS Statement.

I have applied. How long until I will receive the funds?

It is expected that a large number of applications will be received in a very short period of time. Tourism WA will begin assessing and processing applications as soon as they are received. All efforts will be made to undertake due diligence and assessment in a timely manner. If eligible, payment will be made to your nominated business bank account as quickly as possible and a remittance advice will be emailed.

What are the tax implications associated with applying for this Program?

This section provides a general overview of the income tax and GST considerations of the Program for applicants. This overview is general in nature and does not attempt to be a complete analysis of the taxation consequences that may arise for a particular applicant. Applicants are strongly advised to seek professional taxation advice from a qualified tax agent/advisor to confirm their particular circumstances and outcomes.

Subject to an applicant's specific circumstances, the receipt of funding from this Program may be treated as assessable income. We strongly recommended that potential applicants seek independent advice about the possible income tax implications from a qualified tax agent/advisor, or the Australian Taxation Office, prior to submitting an application.

For GST purposes, Tourism WA regards the funding to be provided under the Program as not subject to GST as applicants will not be making any supply to Tourism WA in consideration for the funding.

For GST reporting purposes, payments which are not consideration for a supply are not generally reportable at any label on a business activity statement as they do not constitute payment towards a taxable, GST-free or input taxed supply. However, we recommend that you seek advice from a qualified tax agent to confirm how the payments are to be reported for your particular circumstances.

Will Tourism WA pay an additional amount on top of the payment on account of GST?

No. Tourism WA regards the payment as not subject to GST. The total payment to be made to an applicant will be \$5,000, \$10,000 or \$20,000 depending on applicant eligibility and no additional "gross up" payment will be made.

Am I required to issue a tax invoice for the payment?

No. Applicants are requested not to issue a tax invoice for their payment. Tourism WA will not issue a recipient created tax invoice for the payment, as Tourism WA regards the payment as not subject to GST.

Why and what should I provide/attach to demonstrate my bank account evidence?

Please provide a copy of your most recent business bank statement (or other proof from your bank) showing your bank account name, bank BSB and account number. These details must appear on the single page of the attached document. We do not need to see the balance of your account and this information can be redacted if you wish.

It is very important that the BSB, account number and account name provided are correct and identical to the information on the bank statement you have provided. This information is used to verify and confirm the bank account into which any payments are made.

Tourism WA will, once payment is made, issue a remittance advice to eligible applicants to evidence the payment of the funding to the applicant's nominated business bank account.

What happens if I'm eligible but it is later determined that I was ineligible?

Tourism WA is providing the payment on the basis of the information that applicants provide during the application process. However, Tourism WA may, at its sole discretion, conduct random or specific audits of particular payments and reserves the right to recover any amount paid to an applicant who did not meet the eligibility guidelines, as a debt due and payable.

Who do I contact if I have a question?

Please email all enquiries to tourismfund@westernaustralia.com and a staff member will respond to your questions as soon as possible.

Am I still eligible for this Program if I have been a recipient of the 2020 Travel Agents Support Fund, WA Tourism Recovery Fund, WA Tourism Business Survival Grant and/or the WA Tourism and Travel Agent Support Fund?

Yes, you are eligible. Please indicate in the submission which fund you have received previously.

Can I also apply for the WA Tourism Support Program and/or the WA Tourism Deposit Refund Program?

No. Travel agents are only eligible to apply for this WA Travel Agents Support Fund.