

Work Stay Play 2.0

Funding to attract critical workers

Terms and Conditions

Effective 7 March 2022

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 2.0 Program is an initiative of the Northern Territory Government to attract critical workers to relocate to the Northern Territory.

2. General

2.1. Program objective and scope

The objective of the Program is to attract workers to relocate to the Northern Territory and support critical work 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 business that meets the criteria set out in Clause 3.2.

Eligible Worker means a person who meets the criteria set out in Clause 3.3.

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.

Excluded Worker means a worker:

- that was deemed eligible under Work Stay Play 1.0
- under 18 years of age at the time of employment commencement.

Maximum Grant Amount is \$1,000 per Eligible Worker.

Maximum Number of Claims:

- an Eligible Worker is entitled to 1 payment of the Maximum Grant Amount only
- an Eligible Employer can make a claim for up to 20 Eligible Workers

Payment means the amount as per the Program that will be provided to the Eligible Worker by the Eligible Employer.

Pending Application means applications submitted that do not have a final determination

Program means the Work Stay Play 2.0 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.

Relocate means move to a new place and establish oneself. For the purposes of this Program the relocation is to the Northern Territory.

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.
- 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.

Turnover means the gross ordinary income received by the Eligible Business for the relevant period.

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

3. Application process

3.1. Applications

Eligible Employers must apply for incentives by following the links on the Website and submitting the prescribed application form. Workers should not register for the program.

Employers must have a vendor ID, should the business not be registered go to [InvoiceNTG](#)

The Employer will receive funding for successful workers and it is the Employer's responsibility to pay the successful Eligible Workers.

Applications can only be lodged by the Employer after a Worker has completed 8 weeks of work, but no later than 12 weeks since the Worker commenced with the Employer.

Applications will close when grant funding has been fully committed or the Program is closed by the Department, whichever comes sooner.

All pending applications at the point grant funding has been fully committed or the Program is closed by the Department will be withdrawn from the Program.

3.2. Eligible Employers

A Territory Enterprise that:

- is not a public sector agency, local government entity, or a statutory body or corporation owned or controlled by the Northern Territory or Australian governments; and
- has an annual turnover of more than \$75 000 and no more than \$10 million; and
- 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 for 6 months or more at the time of application, and
- has its business operation physically located in the Northern Territory; and
- has successfully registered with the Department under the Works Stay Play 2.0 program.

3.3. Eligible Workers

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
- 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 after 7 March 2022 and before the Program end; and
- the Eligible Employer can demonstrate the Worker has completed the minimum hours worked in the Northern Territory from a single Eligible Employer through one of the following:
 - an average of 30 hours per week over 8 consecutive weeks; or
 - a minimum of 30 hours per week for a minimum of 8 weeks over a 10 week period due to circumstances deemed by the Department to be out of the Workers' control (eg: sick leave and temporary closures of the Business due to weather); and
- is not Related to or a Relative of the Eligible Employer.

3.4. Assessment and approval process

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.

Assessment of a Worker cannot be undertaken until Employers have been deemed eligible and the Eligible Employer can demonstrate the Worker has satisfied the points set out in Clause 3.3 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

To become an Eligible Employer under the Program, Employers must register with the Department. Registrations open at 9.00am on 21 March 2022.

Applications for Eligible Workers can be lodged by registered Eligible Employers from 9.00am from 02 May 2022 onwards until grant funding has been fully committed or the Program is closed by the Department.

Details collected when registering to be an Eligible Business will include:

- the name and ABN of the legal entity that operates the Eligible Employer
- vendor ID (should the business not be registered, visit [InvoiceNTG](#))
- 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

Details collected when claiming for Eligible Workers under the Program may include:

- worker's full name and date of birth
- date of relocation to the Northern Territory
- date of employment commencement
- proof of previous residence of worker outside of the Northern Territory
- payroll summary from date of employment commencement including:
 - Eligible Worker name
 - hours worked each week (meeting the conditions set out in Clause 3.3 Eligible Workers)

5. Payments

Payments will be made once the application made by the Employer is approved by the Department.

Payment will be made to the Employer and is the Employers' responsibility to pay the Eligible Worker.

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 Principles¹](#) 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.

¹ <https://nt.gov.au/copyright-disclaimer-and-privacy>

All participants in the Program acknowledge:

- a) 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

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 Workers' 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 Workers' and Eligible Employers 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 on 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 2.0 Program Feedback'.

9. Mandatory Vaccination Requirements

It is a further condition of this Program that the Mandatory Vaccination Requirements (COVID 19) – Version 1 on the [Northern Territory Government website](#)² which condition is incorporated by reference with the same force and effect as though fully set out in this document.

² <https://nt.gov.au/industry/procurement/understanding-the-rules/conditions-contract/covid-19-mandatory-requirements>

10. Program changes

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