

## Torres Strait Regional Authority

### Business Growth Package (Fishing Industry) Funding Application Kit

#### Instructions for submitting applications for Business Growth Package (Fishing Industry) Funding

Business Growth Package (BGP) funding is intended to support Torres Strait Islander and Aboriginal entrepreneurs or businesses in the Torres Strait Region to start or grow a commercially-viable business.

This application round is specifically targeted at the **fishing industry**.

**Applications open** on 4 July 2016.

Your Application should be submitted electronically by emailing the Application Form, available on the Torres Strait Regional Authority (TSRA) website [www.tsra.gov.au](http://www.tsra.gov.au) and any required information to: [economic@tsra.gov.au](mailto:economic@tsra.gov.au).

If you cannot submit your Application electronically, you should print the forms, complete them, and provide two unbound copies of your Application to:

**Economic Development Programme  
Torres Strait Regional Authority  
PO Box 261  
Thursday Island QLD 4875**

#### Enquiries

All enquiries relating to this Application Kit, or questions about the application process, should be emailed to: [economic@tsra.gov.au](mailto:economic@tsra.gov.au)

If you do not have ready access to email, or are having difficulties completing or submitting the online forms, you may telephone the Economic Development Programme in the TSRA for assistance on (07) 4069 0700.

#### Updates to the Application Kit and Application Form

The TSRA reserves the right to amend the Application Kit and Application Form from time to time by whatever means it may determine at its absolute discretion and will provide reasonable notice of these amendments on the website.

## PART A – GENERAL INFORMATION FOR APPLICANTS

### Background and Objectives

- 1.1 The primary objective of the BGP funding is to establish and/or support commercially-viable businesses owned and operated by Torres Strait Islander and Aboriginal peoples in the region. If achieved, the objective would result in the following outcomes:
- Creation of jobs for Indigenous people;
  - Increased wealth of Torres Strait Islander and Aboriginal peoples; and
  - Improved availability of products and services in Torres Strait communities.
- 1.2 Support and funding will be tailored to the needs of businesses and entrepreneurs by:
- Providing business start-up grants on the basis that it will also assist businesses to access finance; and
  - Procuring business support and mentoring services to help businesses through their first year or two of operation.
- 1.3 The TSRA will accept Applications from entrepreneurs and businesses from start-up to expansion related to the fishing industry. This includes:
- Entrepreneurs who have done a lot of ground-work and are looking for additional seed/start-up capital to start a business; and
  - Established fishing industry businesses that have identified an opportunity to expand and require finance and/or business support.

### 2 What Does a Business Growth Package (Fishing Industry) Look Like?

- 2.1 This funding will be delivered in a flexible and tailored way. A successful Applicant may receive assistance, depending on their individual needs.
- 2.2 Note: To be successful, an Applicant will need to meet all eligibility criteria, demonstrate that their business idea is (or has the potential to be) commercially-viable and provides value-add to the fishing industry in the Torres Strait Region. They will also need to demonstrate that they have the necessary skills to run the business.
- 2.2.1 The TSRA together with industry and financial experts will assess the commercial viability of the fishing industry business idea.
- 2.2.2 To test the commercial viability of the proposal, or clarify information the Applicant has provided, the TSRA may undertake research and you may be invited to meet with the assessment panel and provide additional information.
- 2.2.3 The assessment of commercial viability may include recommendations for business support.
- 2.3 You will receive written notification from the TSRA about whether or not your Application is successful and feedback can be provided upon request.

### ***Start-up grants that will help you access finance***

- 2.4 Many entrepreneurs, including Torres Strait Islander and Aboriginal entrepreneurs in the Torres Strait Region, have a difficult time accessing finance to start their own business.
- 2.5 To address these barriers, Applicants who are ready to proceed to a financing stage will be assessed for a grant/loan package.
- 2.6 The grant component will provide you with start-up funding that will help you access finance to build your business.
- 2.7 The grant is conditional upon accepting a loan from the TSRA, Indigenous Business Australia (IBA) or another commercial lender or having a financial investment in the business. If you progress to this point, the TSRA will provide you with the relevant information to approach the commercial lender to apply for a loan, including a revised letter of offer.
- 2.8 You can use a TSRA loan, but you can also choose to use a commercial bank.
- 2.9 The TSRA will work closely with you and the lender if it is not the TSRA to determine an appropriate grant/loan mix. Any grant offer will be valid for 60 calendar days to allow sufficient time for you to make a decision about whether to proceed.
- 2.10 Your nominated lender will assess your loan Application, taking into consideration the availability of a start-up grant from the TSRA.
- 2.11 If your nominated lender is the TSRA or IBA, you will have to meet the Indigeneity requirements.
- 2.12 Grants will cover less than 100 per cent of the start-up/expansion funds you need. If you require a business loan the amount of grant funding the TSRA provides you will be negotiated with the lender if it's not the TSRA. Note that if your loan application is not successful, you will not receive a grant. Similarly, if the TSRA and the lender cannot agree on the proportion of funding that will be a grant and a loan, a grant will not be provided by the TSRA.
- 2.13 Grants will typically be between \$20,000 and \$500,000. If you think that you will require a larger grant, please contact the TSRA via [economic@tsra.gov.au](mailto:economic@tsra.gov.au) or (07) 4069 0700 to discuss your needs before sending us your Application.
- 2.14 The TSRA does not act as an agent, partner or representative for any commercial lending partners. While the lender may consider the availability of a grant from the TSRA in assessing whether to provide a loan, the TSRA grant is not collateral for the loan.
- 2.15 If the lender is willing to lend you the full amount of funding you are seeking, the TSRA will not offer a grant as the grant is designed to facilitate access to finance.

### ***Other grant funding opportunities***

- 2.16 If you meet all the eligibility requirements and have provided acceptable evidence of your own investment or commitment to invest financially in the business proposal (e.g. savings, existing commercial loan, other forms of borrowing, etc.), you may be eligible for grant funding that is not subject to approval of a new business loan.
- 2.17 In these circumstances the assessment panel will provide a recommendation to the TSRA regarding the amount of grant funding that could be offered.

### ***Ongoing support and mentoring***

- 2.18 If you accept a grant from the TSRA combined with a loan, or are offered a loan for the full amount you are seeking after putting in your funding Application, the TSRA may also support you by funding required post-finance business support and mentoring in partnership with the lender for up to 24 months.
- 2.19 Support will be tailored to your needs and may include:
- Professional advice to help you run your business;
  - The allocation of a business mentor; and
  - Formal training in a range of business skills.
- 2.20 If you are allocated a business mentor, they will work with you as you develop and grow your enterprise. This includes offering business advice and being available to talk to you if things are getting tough or if you simply want to test ideas.
- 2.21 Business support services will be identified by the TSRA in consultation with the applicant. Any business support provided by the TSRA will be procured on your behalf. It will not form part of your grant package.

## **3 What Will Be Supported?**

- 3.1 The TSRA will support:
- Individuals and businesses that meet the eligibility requirements and satisfy the TSRA of their financial viability, commercial potential and other strengths against the assessment criteria;
  - For-profit businesses that want to expand and start-up proposals with a well-developed business case; and
  - Sole traders, micro, small and medium-sized enterprises.
- 3.2 Applicants living in the Torres Strait Region (the Torres Strait and the Northern Peninsula Area) will be considered.
- 3.3 Although there is no minimum or maximum limit to the funding that Applicants can request, grants will typically be between \$20,000 and \$500,000 to ensure that support is targeted to individual entrepreneurs and small and medium-sized enterprises. If you think you will require more than \$500,000 please contact us before submitting your Application. If you require less than \$20,000, you may be referred to a micro-financing lender, such as the National Australia Bank (NAB).

## **4 What Will Not Be Supported?**

- 4.1 The TSRA will not fund:
- Applicants that do not meet the eligibility criteria;
  - Applicants that do not satisfy the assessment criteria;
  - Not-for-profit or social enterprises;
  - Applicants seeking funding for a business promoting undesirable social outcomes (e.g. sale of take-away alcohol, the sale of goods and services associated with the sex industry, gambling, tobacco paraphernalia);

4.1(a) The TSRA will not fund applicants who:

- have deliberately omitted or falsified information in order to obtain or retain finance;
- have been convicted of an offence that is punishable by imprisonment for more than 12 months;
- have been convicted of an offence involving dishonesty that is punishable by imprisonment for at least three months;
- have been convicted of an offence against the law of a foreign country that is punishable by imprisonment for more than 12 months;
- are undischarged bankrupt;
- have signed a personal insolvency agreement and have not kept to the agreement;
- have been disqualified under the Corporations Act 2001 or the CATSI Act from managing corporations;

4.2 Applicants who do not reside in the Torres Strait Region and applicants intending to operate from outside the Torres Strait Region will not be considered.

4.3 In addition, the TSRA will not issue grants to Applicants that:

- Are not successful at obtaining a loan, or choose not to accept an offer of a loan from the lender;
- Or have not provided acceptable evidence of their own investment or commitment to invest financially in the business proposal;
- Will not agree to participate in business support or business development training if this is recommended as part of the grant offer;
- Are eligible to receive a loan offer from a commercial lender for the full amount of funding required; or
- Have become ineligible for the funding.

## 5 Eligibility Criteria

- 5.1 This funding is open to Applicants that meet the following eligibility criteria.
- 5.2 The proposed business entity will be at least 50 per cent owned by a person(s) of Torres Strait Islander and/or Aboriginal descent who resides in the Torres Strait Region.
- 5.3 Applicants must be:
  - 5.3.1 Individuals; or
  - 5.3.2 Unincorporated entities (sole traders, community organisations, trustees of trusts, consortia, partnerships); or
  - 5.3.3 Corporations (including Aboriginal and Torres Strait Islander Corporations).
- 5.4 Applicants, whether they are individuals, unincorporated entities or corporations, must be for-profit entities.
- 5.5 If the Application is made by an individual, sole trader or partnership under an unincorporated arrangement, the Applicant(s) cannot be an undischarged bankrupt or under consideration for bankruptcy.
- 5.6 If the Application is made by an existing company or incorporated body, the incorporated bodies cannot be under notice of external administration or investigation.
- 5.7 State and Territory governments are not eligible for funding.
- 5.8 The proposed business must be formed under Australian law and operate within the Torres Strait Region of Australia.
- 5.9 Applicants must either:
  - 5.9.1 Have an Australian Business Number (ABN) and be registered for goods and services tax (GST) purposes; or
  - 5.9.2 Agree that, if their Application is successful, funds will only be awarded once the Applicant has an ABN and is registered for GST purposes.
- 5.10 Applicants must not have been named as non-compliant under any Workplace Health and Safety legislation, Workplace Gender Equality legislation or any other relevant workplace legislation under Queensland or Australian law.
- 5.11 All organisations receiving grant funding of \$500,000 (GST-exclusive) or more in a single financial year from funding administered by the TSRA are required to:
  - 5.11.1 Incorporate under Commonwealth legislation – Indigenous organisations will be required to incorporate under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, with all other organisations incorporating under the *Corporations Act 2001*; and
  - 5.11.2 Maintain these arrangements while they continue to receive any level of such funding.
  - 5.11.3 Note that the grant component of your package may not total \$500,000, but if you have already received other funds from the TSRA, you may go over the \$500,000 threshold.

### Additional information for Joint Venture or Consortia Applications:

- 5.12 Applications from groups of organisations or joint ventures (referred to as ‘joint venture Applications’) are encouraged.
- 5.13 Joint ventures can be useful and enable expert collaboration that can address specific areas of need or specific business skills.
- 5.14 In such cases, one organisation must identify as the ‘lead organisation’ and must meet all the eligibility criteria. The lead organisation must submit the Application on behalf of the joint venture.
- 5.15 The lead organisation in a joint venture Application will be responsible for the conduct and management of the entire project. They will be responsible for completing all progress and financial reporting required by the TSRA. Lead organisations will be expected to formalise the joint venture arrangements of the group in an appropriate manner (e.g. by letter of agreement signed by all parties) and to provide evidence of this to the TSRA.

## **6 Assessment Criteria**

- 6.1 Eligible Applications will be assessed against the following assessment criteria:
  - 6.1.1 Demonstrates that the business proposed is commercially-viable and sustainable.
  - 6.1.2 Existing businesses should also demonstrate that their existing operations are (or have the potential to become) commercially-viable and financially sustainable; and
  - 6.1.3 Financial documentation should be attached where possible.
- 6.2 Demonstrates the willingness and ability to work closely with a business service provider to undertake any recommended business planning/development.
- 6.3 Demonstrates the skills and ability necessary to run the proposed business or demonstrates any core capabilities necessary to run the proposed business and is willing and able to acquire other relevant skills if considered necessary for the ongoing viability of the business. This includes demonstrating an awareness of their business support and skill development needs.
- 6.4 Demonstrates the TSRA investment would represent value for money and is necessary for the successful establishment of a new business or the expansion of an existing business.
- 6.5 Demonstrates that the business will contribute to the economic development of the Torres Strait Region.

## **7 Timeframes**

- 7.1 The TSRA will notify all Applicants about whether they have been successful within 30 days of the decision being made by the assessment panel that will meet as required.
- 7.2 Applicants who apply for a grant/loan package with the TSRA as their lender will be notified of the outcome within 15 business days of TSRA's receipt of their correctly completed loan Application.
  - 7.2.1 Please note, the TSRA cannot guarantee any timeframes for Applicants who choose to go through another lender.
- 7.3 Applicants who qualify for and accept a grant/loan package will have 60 days to accept the offer. If an Applicant wishes to secure a loan from a lender other than the TSRA, the grant offer will be valid for 60 days.
- 7.4 Grant moneys will be released to Applicants on the same day as loan moneys, or as close as practical.

## **8 Funding Agreement**

- 8.1 Applicants who qualify for a grant/loan package or separate grant funding must enter into a Funding Agreement for the grant component with the TSRA.
- 8.2 Applicants should note that if they are successful in obtaining a grant, some details of their project (including a project outline, their name and the amount of funding awarded) will be posted on the TSRA website as part of its reporting obligations.



## PART C – APPLICATION PROCESS

### 9 Application Format and Content

- 9.1 Your Application must be submitted using the Business Growth Package Application Form (available online on the TSRA website at [www.tsra.gov.au](http://www.tsra.gov.au); hard or electronic copies can be obtained from the TSRA upon request).
- 9.2 You must submit only one (1) Application Form per project at a time.
- 9.3 Your Application Form must be submitted by the person or business entity that will operate the business and receive the funding and support.
- 9.3.1 Please note, if you require assistance to complete the Application Form, a member of the TSRA Economic Development Programme may be able to help. They cannot provide advice on your responses or help you refine your business proposal, but they may be able to help you understand the questions and provide relevant information.
- 9.3.2 The Economic Development Programme staff contact number is (07) 4069 0700.
- 9.4 The Application Form must be completed in English.
- 9.5 Applications will be accepted online, via email, or as hardcopy mail to the address listed on Page 1 of this application kit.
- 9.6 Applications made by email must be submitted as PDF or Microsoft Word. (Please note that Applications submitted in other formats cannot be accessed by the TSRA).
- 9.7 Both electronic and hard copy Applications **cannot** be in the form of multi-media files/presentations, videos or large documents (such as annual reports). The Application plus attachments should not exceed 5Mb to ensure accessibility through the TSRA email servers.
- 9.8 Any Application that includes prohibited attachments, or exceeds the attachment limit, will only be considered at the TSRA's discretion in the Application assessment process.
- 9.9 Please note: the TSRA cannot access files from Internet file sharing networks such as: Dropbox; Google Documents; iCloud; and any other similar programs. USB drives are also not accessible to the TSRA. Any Applications submitted in these formats, or which contain information which is to be accessed from such networks, will not be considered in the Application assessment process.
- 9.10 If you submit a hard copy Application, two unbound copies are required. Hard copy Applications must only be submitted to the address specified on Page 1 of this Application Kit. To submit a hard copy Application, you should print out a fully expanded version of the Application Form and complete the relevant fields.
- 9.11 You may not alter the content of your Application following its submission. If you discover an error in your Application, please inform the TSRA immediately through the contact details provided on Page 1 of this Application Kit.
- 9.12 You must:
- Include sufficient information to enable the TSRA to assess the Application and make a value for money determination; and

- Be clear, concise and answer all information requirements in this Application Kit.

## **10 Retain a Copy of Your Application**

10.1 It is recommended you retain a copy of your Application for your record. You can save the completed Application Form to your computer or keep a printed copy.

## **11 How Will Your Application Be Assessed?**

11.1 The TSRA will start by screening your Application for eligibility.

11.2 If your Application does not satisfy an eligibility criterion, the TSRA will inform you that your Application has been unsuccessful.

11.3 Eligible applications will be subject to a risk assessment by the TSRA.

11.4 The Risk Assessment Panel is an advisory panel only. It will provide recommendations to the Business Growth Package Assessment Panel.

11.5 All eligible Applicants will then be assessed by the Business Growth Package Assessment Panel.

11.5.1 The Business Growth Package Assessment Panel will comprise senior managers from the TSRA and external industry and financial experts.

11.6 The Business Growth Package Assessment Panel will shortlist suitable applications for advancement to the next stage of assessment.

11.7 If your Application is not shortlisted, you will be advised by the TSRA in writing and you may request feedback.

11.8 If your Application is shortlisted, you will be invited to meet with the panel to discuss your business proposal and answer questions from panel members. This will provide you with an opportunity to share your vision for your business or business idea with the panel.

11.9 The panel may ask you to provide further written information to support your Application. If this occurs, you will be given 28 days to submit the additional information.

11.9.1 If you do not provide the additional information within 28 days your Application will not be considered further.

11.10 Successful applicants that are offered a grant/loan package must apply for a loan with the TSRA, IBA or a commercial lender. This loan Application will be assessed against that institution's standard lending criteria. The TSRA will then negotiate a grant/loan package (including any post-financing support) with the lender (if the lender is not the TSRA). If successful, the Applicant will receive an offer for a grant (from the TSRA) and a loan (from the lender) at the same time.

11.11 If you receive a grant from the TSRA, you may be eligible to receive business support and mentoring. A business support package will be designed for you based on your specific circumstances. The TSRA will negotiate the details of the support package with you and the commercial lender.

11.12 Meeting the eligibility and assessment criteria to a high degree does not guarantee that an offer of funding will be made. If more applications are received than funding available, each Application will be assessed in the order for the relevant stage of the process until funds are

exhausted. Any Application that is not assessed or funded due to funding running out will be the first to be considered the following Financial Year.

- 11.13 The final decision about the approval of a grant will be made by the Funding Approver (the TSRA's CEO or their delegate).
- 11.14 The Funding Approver will consider whether your proposal will make efficient, effective, ethical and economical use of Australian Government resources, and whether any specific requirements will need to be imposed as a condition of funding.
- 11.15 Assessment of Applications is the responsibility of the TSRA. The TSRA may seek advice from a lender on the commercial/financial viability of your business idea. Please refer Section 14 of this Application Kit for further information regarding your privacy and confidentiality.
- 11.16 All staff and external panel members involved in the assessment process will be required to declare any real or perceived conflict of interest and take appropriate action as required.
- 11.17 All staff and external panel members involved in the assessment process will be required to sign a deed of confidentiality and must comply with any TSRA policies, rules or laws governing the access and use of any personal and financial information provided through the Application and assessment process.
- 11.18 Any member of staff or external panel member who provides assistance to the Applicant at any stage or assists in the development of the Application must not be responsible for decision-making processes.
- 11.19 In assessing your Application, TSRA staff and external panel members may use material included in response to one criterion in the assessment of other criteria.
- 11.20 The TSRA reserves the right to seek further information from you and make independent enquiries of other agencies and/or relevant third parties for the purposes of assessing an Application, whether or not the individuals or organisations contacted are nominated as referees by the Applicant.
- 11.21 The TSRA may also consider information about the Applicant that is made available through the normal course of business of the TSRA. The TSRA may consider information about any Applicant collected through previous contact or Applications from that individual or organisation and share such information with officials from the TSRA on a need-to-know basis.

## PART D – OTHER THINGS YOU SHOULD KNOW

### 12 Complaints Process and Dispute Handling

- 12.1 Complaints about the process as it relates to your Application or the use of your personal information may be sent in writing to either of the following email addresses:
- [economic@tsra.gov.au](mailto:economic@tsra.gov.au) or
  - [info@tsra.gov.au](mailto:info@tsra.gov.au) or
- through the TSRA website: [www.tsra.gov.au/contact-us](http://www.tsra.gov.au/contact-us) and follow the prompts.
- 12.2 If you do not have access to email, you may telephone the TSRA on (07) 4069 0700 to seek advice about lodging a complaint.
- 12.3 When the TSRA receives a written complaint, an investigating officer will be assigned.
- 12.4 The investigating officer is responsible for: providing an acknowledgement of the complaint within 10 days of receipt, which summarises the complaint and indicates the expected timeframe for a formal response; ensuring all correspondence on the complaint is recorded and filed appropriately; investigating the complaint; preparing a report; and advising the Applicant in writing of the outcome.
- 12.5 The TSRA will respond to you in writing and outline the issue that has been raised, what action has been taken to examine the issue and an assessment of the complaint.
- 12.6 If this does not resolve the matter, you will have the option of an independent internal review.

### 13 Independent Internal Review

- 13.1 If you have lodged a complaint and you subsequently lodge a request for further examination, an independent internal review will be conducted.
- 13.2 The internal review officer will promptly notify you in writing, to advise of their appointment and the expected timeframe for making the internal review decision. The notice will set out the matters that the reviewing officer considers may be relevant to the review decision. The notice will also request any necessary further information they require from you to conduct the review.
- 13.3 The internal review officer will notify you in writing of the decision within the timeframe specified in the original notice. The notice of decision will outline the issue that has been raised and the matters taken into account in making the decision.

### 14 Privacy and Freedom of Information

- 14.1 Information collected as part of the Application and selection process is collected in order to make recommendations to the Funding Approver (the TSRA's CEO or their delegate) on the allocation of funding and for administering the projects funded by the TSRA.
- 14.2 Any personal information collected by the TSRA is protected by the *Privacy Act 1988 (Cth)*. In general, the TSRA collects personal information to carry out its functions properly and efficiently, and uses personal information only for the purposes for which it was given to the TSRA and for directly related purposes (unless otherwise required by, or authorised under,

law). You can find out more about the TSRA privacy policy by emailing [economic@tsra.gov.au](mailto:economic@tsra.gov.au) or contacting the TSRA on (07) 4069 0700.

- 14.3 Section 191 of the *Aboriginal and Torres Strait Islander Act 2005 (Cth)* and the *Privacy Act 1988 (Cth)*, places restrictions on the way the TSRA can use and disclose the information and documentation you provide in your Application.
- 14.4 By lodging your Application, you authorise the TSRA or the commercial lender of your choice to use and disclose to each other your personal information and any information or documentation concerning your affairs that relates to funding provided by the TSRA. The TSRA will collect, use, store and disclose information provided in your Application for the purpose of assessing and providing advice on the commercial viability and financial sustainability of your business proposal.
- 14.5 You should be aware that if you are successful, Australian Government policy requires the TSRA to publish information about the funded entity, its project and the funding. If you have concerns about this information being published, you should raise these during the Application process.
- 14.6 The TSRA may release information contained in an Application if required under the *Freedom of Information Act 1982*. It may also provide that information to other Commonwealth departments, government organisations, assessors, members of parliament, the media and other stakeholders for the purposes of assessing the Applications, or for publicising projects, and for administering projects funded by the TSRA.
- 14.7 If you do not provide the personal information requested, the TSRA may not have enough information to assess your Application and as a result, your Application may be unsuccessful on this basis.
- 14.8 You may access your personal information or correct it by emailing [economic@tsra.gov.au](mailto:economic@tsra.gov.au) or contacting the TSRA on (07) 4069 0700.
- 14.9 The TSRA does not send your personal information overseas as part of their usual practices. However, in particular circumstances the *Privacy Act 1988* may require that it discloses your personal information to an overseas entity.