

# Natural Disaster Relief Loan *Sporting and Recreation Clubs and Associations*

## Program Guidelines



# Contents

1. Purpose Page 3
2. Objectives and outcomes Page 3
3. Loan value and assistance available Page 4
4. Key dates Page 4
5. Funding source Page 4
6. Eligibility criteria Page 5
7. Security Page 5
8. Exclusions Page 6
9. Costs Page 6
10. Conditions Page 6
11. Getting support and submitting your application Page 7
12. Application process Page 7
13. Assessment and decision makers Page 8
14. Decision Page 9
15. Claiming Page 9
16. Important information Page 9
17. Fraudulent claims Page 9
18. Evaluation Page 10
19. Government Information (Public Access) Act Page 10
20. Complaints Page 10
21. Definitions Page 10



## 1. Purpose

- 1.1. The purpose of the Natural Disaster Relief Loan – Sporting and Recreation Clubs and Associations (the Program) is to provide a concessional interest rate loan to eligible sporting and recreation clubs and associations to assist with recovery from a declared natural disaster.

## 2. Objectives and outcomes

- 2.1. The objective of the Program is to provide a concessional interest rate loan to eligible sporting and recreation clubs and associations to assist with the costs associated with clean up, removal of debris and/or the restoration of essential facilities, equipment or other assets that have been damaged or destroyed as a result of the declared natural disaster.
- 2.2. The required outcome of the Program is that eligible sporting and recreation clubs and associations have cleaned up, removed debris and/or restored essential facilities, equipment or other assets damaged or destroyed as a result of a declared natural disaster.



### 3. Loan value and assistance available

- 3.1. Eligible sporting and recreation clubs and associations impacted by the declared natural disaster can apply to borrow a maximum amount of \$10,000.
- 3.2. All loans have a term of up to 5 years, depending on the amount borrowed and your repayment capacity.
- 3.3. Principal and interest loan repayments are made monthly.
- 3.4. The interest rate is a concessional rate of interest. The rate applicable at the time of loan commencement is shown on the NSW Rural Assistance Authority's (the Authority) website.
- 3.5. The interest rate applied to the loan is fixed for the term of the loan.

### 4. Key dates

#### Applications open

Applications open on the date of declaration of a Category B natural disaster declaration.

#### Applications close

Applications close at 5:00 p.m., 6 months after the date of the natural disaster declaration (refer to [www.raa.nsw.gov.au/disaster-assistance/declarations](http://www.raa.nsw.gov.au/disaster-assistance/declarations) for dates).

### 5. Funding source

- 5.1. Funding for the Program is provided by the NSW Government under the terms of the NSW Disaster Assistance Guidelines 2021 (the DAG).
- 5.2. The Authority is part of the Department of Primary Industries and Regional Development and administers the Program on behalf of the NSW Reconstruction Authority.



## 6. Eligibility criteria

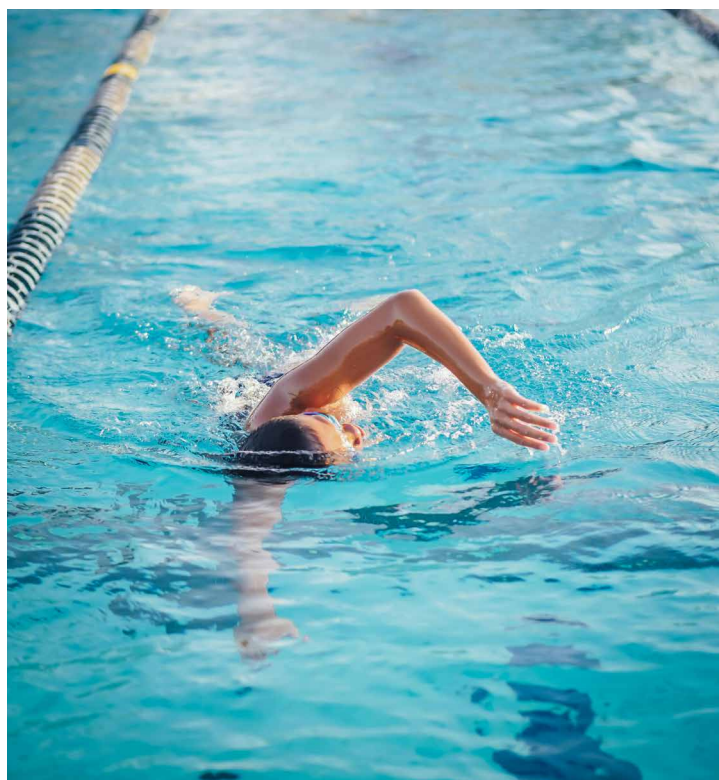
- 6.1. To be eligible for the loan, the sporting and recreation club or association must:
- not operate for the profit or gain of its individual members, and any profit made by the organisation must go back into the operation of the organisation to carry out its purpose and not be distributed to any of its members
  - have evidence of registration or incorporation as a sporting and recreation club or association
  - have assets and/or facilities that have been located in the defined disaster area of the declared natural disaster that have suffered direct damage as a result
  - have been engaged in carrying on the sporting and recreation club or association at the time of the declared natural disaster
  - demonstrate that the assistance will ensure the sporting and recreation club or association continues to be viable
  - intend to re-establish or continue the sporting and recreation club or association within the same location or the same local government area (LGA)
  - demonstrate that the sporting and recreation club or association has the capacity to repay the loan
  - not be able to recover the costs associated with clean up, removal of debris and/or the restoration of essential facilities, equipment or other assets that have been damaged or destroyed as a result of the declared natural disaster through insurance
  - not have the financial capacity to pay the costs from its own funds or reserves and
  - apply for the loan by the closing date shown on the Authority's website.

- 6.2. The types of sporting and recreation clubs and associations considered under this loan program are broad-ranging and will be considered on a case-by-case basis by the Authority.

**Note:** The Authority may contact the NSW Office of Sport to request supporting documents or request further documentation from the applicant to support its status.

## 7. Security

- 7.1. Security will be considered at the Authority's discretion.



## 8. Exclusions

- 8.1. Sporting and recreation clubs or associations that conduct their affairs so as to provide pecuniary gain for its members. A sporting and recreation club or association will be deemed to be operating to provide a pecuniary gain for its members if it holds property in which its members have a disposable interest (whether directly or in the form of shares or stock in the capital of the organisation or otherwise).
- 8.2. Sporting and recreation clubs and associations that perform a sizeable commercial function or represent a commercial or industrial group.
- 8.3. Large-scale sporting and recreation clubs and associations. NSW Fair Trading defines a 'large-scale' association as having a gross income in excess of \$250,000 p.a. and/or assets exceeding \$500,000.
- 8.4. A loan is unlikely to be provided where a has the financial capacity to conduct its own restoration works.
- 8.5. Sporting and recreation clubs and associations that have licensed gaming areas, such as golf clubs, bowling clubs, etc.
- 8.6. Where the loan is to provide for loss of trade or income.
- 8.7. Where the loan is to provide for ordinary operating costs, such as employee-related expenses in ordinary hours.
- 8.8. A loan is unlikely to be provided where a sporting and recreation club or association has cash reserves in excess of the requested loan amount unless the sporting and recreation club or association can demonstrate a genuine case that the funds are quarantined for an immediate and alternative need.



## 9. Costs

- 9.1. There are no establishment or account-keeping fees.
- 9.2. You will be asked to cover set-up costs for the security registration fee, credit checks, bankruptcy and company searches where applicable, land title search costs and other applicable fees and charges. Financiers may charge fees to your account when consenting to the Authority's request to take a mortgage over the property offered as security.

## 10. Conditions

- 10.1. Principal and interest repayments are monthly against the club's bank account. The repayment term depends on the amount borrowed and your ability to repay.
- 10.2. Once all legal and security requirements have been completed, the Authority will draw down the loan in full and deposit it directly to the nominated bank account.



## 11. Getting support and submitting your application

Refer to [www.raa.nsw.gov.au/loans/ndrl/sporting-and-recreation-clubs](http://www.raa.nsw.gov.au/loans/ndrl/sporting-and-recreation-clubs) to complete an online application. Applications must be submitted by the closing date in Section 4.

If you have any questions regarding your eligibility or need assistance submitting your application, please contact the Authority.

Phone: 1800 678 593 (free call)

Email: [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au)

Website: [www.raa.nsw.gov.au](http://www.raa.nsw.gov.au)

If you have difficulty understanding these guidelines or completing the application form, you should seek the assistance of your rural/financial counsellor, business advisor, accountant or a trusted family member/friend.

If you need assistance with interpreting or translating, please contact Multicultural NSW on 1300 651 500 or email [languageservices@multicultural.nsw.gov.au](mailto:languageservices@multicultural.nsw.gov.au).

**Applications received after the advertised application closing date cannot be accepted.**

**Please do not self-assess your eligibility for this loan.**

## 12. Application process

- 12.1. Applications for assistance under the program must be submitted online and be accompanied by the documentation stated in the application form, including:
- the last 3 years of the applying sporting and recreation club or association's balance sheets and financial statements (including profit and loss statements, trading account and depreciation schedules)
  - quotes, estimates, tax invoices or receipts for repair or replacement of damaged assets and/or additional materials used in the clean-up
  - photographs of damages or debris
  - proof of charitable or sporting and recreation club or association status, such as documentation from the Australian Taxation Office (ATO) and/or entity registration
  - minutes of meetings or an annual general meeting held during the previous 12 months
  - a copy of the sporting and recreation club or association's insurance policy
  - confirmation of bank details, such as the front page of a bank statement showing the account name, BSB, and account number.

- 12.2. Applications must be submitted within 6 months of the date of the declaration of the natural disaster.
- 12.3. Applications can be submitted online via the Authority's website.
- 12.4. Applications will be assessed by Authority staff in the order they are submitted.
- 12.5. If there is uncertainty about an applicant's status, the Authority may contact the NSW Office of Sport - Sport and Recreation, NSW Fair Trading, ASIC, or the ATO to request supporting documents or further documentation from the applicant to support its application.
- 12.6. If an application is missing information or is incomplete, the Authority may, in its sole discretion, work with you to clarify any missing or incomplete information. However, the Authority will not start assessing the application until, in the Authority's sole opinion, the application is complete.

**If you have all documentation ready, the application should take approximately 45 minutes to complete. We need your documents to ensure these loans only go to genuine small businesses deemed eligible.**



## 13. Assessment and decision makers

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| <p>13.1. Assessment Officers on the Assessment Team will assess applications against the criteria in these Program Guidelines and recommend whether to approve or decline the application to a Program Officer on the Assessment Team (the decision maker). All applications that meet the eligibility criteria will be recommended for approval.</p> <p>13.2. Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.</p> <p>13.3. Consideration will be given to the capacity to repay the proposed loan and existing lending at other financial institutes (including existing Authority loans) using responsible lending standards.</p> <p>13.4. Program Officers on the Assessment Team will ensure the Program is administered in accordance with these Program Guidelines and decide whether or not to approve an application after considering the recommendations of Assessment Officers. If the decision maker departs from the Assessment Team's recommendations, the decision maker will record the reason(s) in <u>your</u> file.</p> <p>13.5. The Authority may consider <u>your</u> credit position and the status of any existing loans to help verify <u>your</u> intention to continue the <u>sporting and recreation club or association</u>.</p> | <p>13.6. The Authority may request further information from <u>you</u> or from any business or individual <u>you</u> have engaged in assessing <u>your</u> application or to verify any information provided in <u>your</u> application. Failure to provide such information may result in the Authority refusing <u>your</u> application.</p> <p>13.7. The Authority may refuse an application where eligibility criteria are not met or if <u>you</u> do not or cannot provide sufficient information for the Authority to determine if eligibility criteria have been met.</p> <p>13.8. The Authority can put an application on hold where the applicant is under investigation or has been charged in relation to the fraudulent receipt of grants or loans under this or other Authority programs.</p> <p>13.9. <u>You</u> should note that past financial assistance under this Program or any other program is not a reliable indicator of eligibility for future financial assistance under this program.</p> <p>13.10. Applications submitted may be subject to audit by the Authority or its agents to determine compliance with Program Guidelines.</p> <p>13.11. Before applying for financial assistance under this program, <u>you</u> should seek advice from <u>your</u> legal, business or financial advisers about the tax implications of this financial assistance.</p> <p>13.12. Applicants who have received funding from the Authority within the previous 12 months may not need to provide tax returns and financial statements again.</p> |
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## 14. Decision

- 14.1. The Authority will notify successful applicants of a conditional approval. The approval will not be finalised until all conditions are met, including the payment of any fees and the successful and correct execution of the loan documentation.
- 14.2. The decision maker's decision is final in all matters, including:
  - a. the approval to award a loan
  - b. the amount awarded
  - c. the terms and conditions of the loan.
- 14.3. The Authority will notify unsuccessful applicants of a refusal with reasons the application was refused.

## 15. Claiming

- 15.1. Once all loan documents have been successfully executed and security registrations have been completed and your application is approved, the Authority will fully draw down the loan and deposit it directly into the nominated bank account.

## 16. Important information

- 16.1. Where significant changes are made in relation to the program, the Authority will revise these Guidelines and make them available at [www.raa.nsw.gov.au/loans/ndrl/sporting-and-recreation-clubs](http://www.raa.nsw.gov.au/loans/ndrl/sporting-and-recreation-clubs).
- 16.2. The Authority reserves the right to amend, alter or change these guidelines at any time, and it is your responsibility to ensure that they check the relevant website prior to application.
- 16.3. The guidelines that apply to your application will be the guidelines that are current when the Authority receives your application.
- 16.4. While the Authority has taken all care in preparing these guidelines, the Authority will not be liable in any way for any errors, omissions or variations to information in these guidelines or for not advising you of any errors, omissions or variations to information in these guidelines.
- 16.5. The Authority will publish these Program Guidelines and any revised versions and addenda on the NSW Government Grants and Funding Finder.
- 16.6. These Program Guidelines are not an offer, recommendation or invitation by the Authority in respect of any loan. There is no funding commitment until an eligible applicant is informed in writing by the Authority that their application has been approved.
- 16.7. Without limiting any rights, the Authority (or another NSW Government agency), in its sole discretion, may recover funds from you and determine that a debt is due if evidence indicates that the applicant did not meet the eligibility criteria.

## 17. Fraudulent claims

- 17.1. The Authority takes fraud and corruption seriously. Suspected fraud will be assessed and investigated as appropriate, which may require the involvement of external parties such as the NSW Police Force or the NSW Independent Commission Against Corruption (ICAC).
- 17.2. By submitting an application, you declare that the information in the application form and supporting documentation is true and accurate.
- 17.3. Providing inaccurate, untrue or misleading information may be a breach of criminal law for which serious penalties may apply.
- 17.4. The Authority responds to fraud by:
  - a. audit and site validation of applications and claims that are of concern
  - b. referral to the NSW Police Force or ICAC of suspected fraud
  - c. recovery of any assistance provided under a fraudulent application.
- 17.5. Application approval, or payment of a claim against an approved loan, may be delayed where the outcome of relevant legal or validation actions may impact the decision to grant further assistance.

## 18. Evaluation

- 18.1. The Authority is committed to providing excellent service that responds to your needs through well-targeted programs. For that reason, the Authority evaluates its programs. This includes surveys at various points of your application, approval and completion.
- 18.2. The Authority may also contact you to ask about your experience with the assistance you received. The Authority will always treat your responses as confidential and use the information only for the purposes for which it was collected.



## 19. Government Information (Public Access) Act

- 19.1. Applicants should be aware that information submitted in applications and all related correspondence, attachments, and other documents may be open access information, which must be made publicly available under the *Government Information (Public Access) Act 2009* (NSW). Information that is commercially sensitive may be withheld.

## 20. Complaints

- 20.1. Any concerns about the Natural Disaster Relief Loan – Sporting and Recreation Clubs and Associations should be submitted in writing to [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au).

## 21. Definitions

**Direct damage:** Relates to physical damage that occurred due to the event. This means immediate damage caused by floodwaters at the time of the floods. The hazard can remain so long as floodwaters remain. There is a distinction, however, between clean-up activities that cause damage in themselves and damage that occurs as a direct result of the floods. For example, a boat damaged during the floods or while floodwaters remain high would be covered. However, a boat damaged during recovery after floodwaters have receded would not be covered.

**Defined disaster area:** For an eligible disaster, means the area that the appropriate Minister has declared to activate the Disaster Recovery Funding Arrangements. These are shown on the Authority's website and are a Local Government Area (LGA).

**Natural disaster:** One or a combination of the following rapid onset events: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, or tornado.

**Sporting and recreation club:** A non-profit community sporting and recreation club or association such as non-profit State Sporting Organisations, Regional Sporting Associations, community clubs, or other legal entities, whether incorporated or not, public or private, that have their own functions(s) and administration. They include non-profit State Sporting Organisations, Regional Sporting Associations, community clubs, or other legal entities, whether incorporated or not, public or private, that have their own functions(s) and administration. Sport is defined as physical activity that can be undertaken by a team or an individual in a social or competitive environment in pursuit of a result. It can be organised or less formal with a greater focus on social outcomes. Recreation is defined as physical activity for the purposes of relaxation, health and wellbeing or enjoyment which can be self-directed or facilitated by a provider or organisation.

**You and your:** In the context of these guidelines and the related application process, it refers to the applicant.

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**Facebook:**

[www.facebook.com/NSWRAA](http://www.facebook.com/NSWRAA)

**Business Hours:**

8:30am to 4:30pm, Monday to Friday

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