

NSW event saver

FINANCIAL SUPPORT TO ORGANISERS
OF MAJOR EVENTS



GUIDELINES¹

Overview

The purpose of Event Saver is to provide financial support to organisers of **Major Events** scheduled to be held between Wednesday 15 December 2021 and Saturday 31 December 2022² where an event is cancelled or **Significantly disrupted** as a direct result of **Public Health Orders (PHO)**.

Major Events have been targeted for support due to the significant impact these events have on driving tourism as well as on the broader NSW economy.

Event Saver is one of several investments the NSW Government is making as part of its NSW COVID-19 Economic Recovery Plan and is intended to boost event organiser confidence to allow for continued planning and staging of Major Events across NSW over the year ahead.

The financial support provided by Event Saver is intended to contribute towards eligible unrecoverable costs incurred by organisers of affected events; it is not intended to compensate event organisers for loss of revenue or loss of profit.

Key dates

Event Saver is available to **Eligible Applicants** who are organising **Eligible Events** from Wednesday 15 December 2021 up to (and on) Saturday 31 December 2022.

Stage One 'expressions of interest' will be open to applicants via the Create NSW website from Monday 17 January 2022 and will close 30 September 2022.

Event organisers are encouraged to submit their expression of interest as soon as possible.

Note that organisers for events scheduled from 30 April 2022 must submit their EOI at least **90 days** prior to the event.

Eligibility

Accessing funding under the Event Saver program is a two-stage process.

- **Stage One:** Applicants will submit an Expression of Interest (**EOI**) to Create NSW. Material requested at this stage will include information about the applicant and the event to be covered, including the event budget and other relevant financial information. This information will be used by Create NSW to assess the applicant's eligibility for support under this package and to calculate the **Total Agreed Base Amount**.
- **Stage Two:** This stage of the process is triggered only if an Eligible Event is cancelled or significantly disrupted by a PHO.

Further details of each Stage are set out below.

Stage One – Expression of interest (EOI) and confirmation of eligibility status

To be eligible for Event Saver, the applicant MUST:

1. Complete the EOI for their event through Create NSW <https://artsnsw.smartygrants.com.au/2122EventSaver>
2. Be determined by Create NSW to be an Eligible Applicant of a future Eligible Event³.
3. Agree to the assessment process and any other terms of the funding as set out in these guidelines.

Applicants who are planning more than one event (including repeat performances) during the Event Saver period should submit a separate EOI for each event.

¹ Terms initially highlighted in bold are defined in the Definitions section of these guidelines.

² Events that commence 31 December 2022 (ie New Year's Eve) will be eligible for coverage under this package.

³ Note that eligibility to claim under this package will be contingent on a relevant public health order being in place at the time of a claim being made.

If there are **Joint organisers** for an event, the applicant should be the entity that holds the public liability insurance for the event. In these cases, the applicant will need to provide additional information about who the other organising entities are, how Event Saver funds would be distributed between the entities, and confirmation that all entities agree to this arrangement.

Applicants who meet the eligibility criteria will:

- receive written confirmation from Create NSW that they are an Eligible Applicant for a future Eligible Event
- be able to calculate an indicative level of maximum support that could be received if their Eligible Event is significantly disrupted or cancelled due to a PHO based on the matrix at **Table 1** and applied against their event budget submitted as part of the EOI process.
- be able to proceed to Stage Two if the relevant PHO circumstances arise.

Where insufficient information has been provided by an applicant to determine their eligibility, applicants will be notified by Create NSW and given an opportunity to provide additional information in support of their eligibility status.

Final assessment of an applicant's eligibility will be at the sole discretion of Create NSW.

Please refer to **Attachment A** for more information on the EOI process.

Stage Two – Payment from the Event Saver fund

To receive funding, the applicant MUST:

1. Have had their eligibility status confirmed during Stage One.
2. Demonstrate that their Eligible Event has been cancelled or significantly disrupted as a direct result of a PHO.
3. Comply with all claim submission information requirements at **Attachment B** to substantiate the actual **Eligible Costs** incurred and claimed under Event Saver.

Claim amount

Only one claim can be made per Eligible Event.

The maximum amount that can be claimed will be based on the **Total Agreed Base Amount** established in Stage One and acknowledged in writing by Create NSW as part of the EOI/eligibility process. This Total Agreed Base Amount will be applied against the percentage shown in Table 1 below, which correlates to the timing of the event's cancellation or significant disruption.

The maximum amount that can be paid per Eligible Event is capped at \$10 million⁴.

The amount that can be claimed under this package is calculated as follows:

- Total Eligible Costs incurred as at the date of the PHO-related disruption – incurred means actual costs paid plus committed costs that are contractually payable.
- Where an event proceeds in a different format than originally planned and still meets the criteria for significantly disrupted, the Eligible Costs will be net of any related income earned (for example registration fees for a conference that switches to on-line delivery as a result of a PHO)
- Total Eligible Costs claimable is determined by when the PHO disruption occurs relative to the start of the Eligible Event – see **Table 1** below.

Although amounts paid under this package may not cover all Eligible Costs incurred by the Eligible Applicant, the coverage provided is expected to be sufficient to build the confidence of event

⁴ Payments for eligible costs above the cap may be permitted by exception for not-for-profit organisations at the sole discretion of the Minister for the Arts. Application exceeding the cap must be made during the Expression of Interest stage.

organisers by providing clear disclosure of the indicative maximum funding that could be available if the Eligible Event is cancelled or significantly disrupted due to a PHO.

Two examples of how the maximum support would be calculated are shown in the table below.

Table 1

<i>Total Agreed Base Amount</i>	≥ 13 weeks	13 ≥ 8 weeks	8 ≥ 4 weeks	4 ≥ 1 week	< 1 week
	15%	45%	60%	75%	90%
<i>Example 1 - \$18M (*)</i>	\$ 2,700,000	\$ 8,100,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000
<i>Example 2 - \$2M</i>	\$ 300,000	\$ 900,000	\$ 1,200,000	\$ 1,500,000	\$ 1,800,000

**NB Total Agreed Base Amount capped at \$10 million*

How do I make a claim?

If you have received written confirmation from Create NSW via Stage One that you are eligible for Event Saver and your Eligible Event is cancelled or significantly disrupted by a PHO, you may proceed with Stage Two of the process which involves three steps.

Step 1 - Notification

Following a PHO-related disruption, Eligible Applicants will be required to submit notification of their intention to make a claim under the program within **14 days** of when the Eligible Event was disrupted or cancelled.

Applicants will be required to provide initial information including, but not limited to:

- the circumstances causing the disruption including the details of the PHO impacting the event and how the event has been impacted
- the indicative value of the claim based on the claim calculation matrix in Table 1 in the format shown below.

<i>(List costs in the same categories as per the event budget submitted with the EOI)</i>	Paid costs	Committed costs yet to be paid
External suppliers / direct costs [list]		
Internal overhead recovery / indirect costs [list]		
Total Eligible Costs		
Incomed earned from event (if applicable)		
Net Eligible Costs		

Step 2 - Review of claim

After reviewing the information provided in Step 1, Create NSW will then request Eligible Applicants to submit full details of their claim, including supporting documentation – for example tax invoices, contracts, budgets, profit and loss accounts, bank statements, etc.

This request will be made within **21 days** of receipt of the notification referred to above.

Step 3 - Assessment of claim

Create NSW will assess the claim and may engage external/independent parties to assist with the review of the claim and material provided in Step 2.

Eligible Applicants may also be requested to provide additional information during this step.

Event Saver payment

Once the review and assessment are complete, Create NSW will advise the Eligible Applicant of the outcome of their application and provide information on how to receive payment.

During the assessment, Create NSW will endeavour to provide applicants with an indicative timeline for their assessment process. The timeline will depend on a range of factors including the number of

claims under assessment at a point in time, the complexity of the claims, the timely provision of information from applicants and the accuracy of the information provided.

Please refer to **Attachment B** for more detail on the types of information that will be required under the claims process.

What can the funding be used for?

Funds will be paid as a lump-sum, based on Eligible Costs incurred, to the maximum support level calculated as per the matrix at Table 1.

Create NSW will not instruct recipients on how the funds should be expended, but Eligible Applicants should note:

- Funds are being provided in response to Eligible Cost claims, therefore Create NSW has an expectation that all suppliers/creditors including performers, artists and other contractors will be accommodated by the funds received. It is additionally expected that payment to these suppliers / creditors will receive funds within 14 days of receipt of funding from this package.
- An acquittal report will need to be submitted to Create NSW at monthly intervals until all funding received has been accounted for.
- Successful applicants may be subject to **Review** for up to two years after receipt of the funds if Create NSW suspects the funding has not been claimed or used in accordance with these guidelines.

Can I apply for other NSW Government support packages?

Yes. Event Saver only provides funding if your Major Event is significantly impacted or cancelled by a PHO.

You may apply for funding under any other relevant support packages offered by the NSW Government.

Please note that the NSW Government reserves the right to net off any payments made through other relevant support packages from payments made under this package.

In line with NSW Government policy, all recipients of funding through the Event Saver package will be published on a public register.

Definitions

Area means the three regions defined under Attachment C. Area 1 is Greater Sydney; Area 2 is large regional centres; and, Area 3 is Regional NSW.

Australian Entity includes:

- a corporation
- an incorporated association
- a partnership
- an organisation registered under the *Australian Charities and Not-for-profits Commission Act 2012* (Cth)
- an Aboriginal or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth)
- a trust.

The entity must have an ABN, be registered for GST and hold an account with an Australian financial institution prior to submitting an application.

If the entity trades under a business name, the business must be registered with ASIC.

COVID-19 Safety Plan means a plan that addresses the matters required by the approved COVID-19 safety checklist in a form approved by the NSW Government.

Eligible Applicant

To be an Eligible Applicant, the applicant **MUST**:

1. be an Australian Entity
2. be planning to hold an Eligible Event between 15 December 2021 and 31 December 2022
3. hold cancellation insurance for the Eligible Event (excluding pandemic coverage)
4. have a risk management and COVID-19 Safety Plan for the Eligible Event
5. provide evidence that the company is solvent at the time of making an application.⁵
6. agree to abide by the Event Saver Guidelines.

The following are not eligible to apply to Event Saver:

1. Government entities and/or entities that are substantially funded by Government (whether State, Federal or Local Government*).
2. Organisers/promoters of professional sporting events.

* Create NSW may exercise discretion in respect of Local Government Authorities who have responsibility for coordinating a signature event/s that otherwise meet the definition of a **Major Event**.

Eligible Costs are reasonable direct and indirect costs incurred in staging the event that cannot be recovered or mitigated despite the event not proceeding as scheduled/planned. Refer to **Attachment B** for further information of what may be considered an Eligible Cost under the package.

Eligible Event means a **Major Event** as determined under these guidelines

Event duration for the purposes of this package means the time that the event is open to the public. It excludes the time taken for bump in/out, installation costs and set-up.

Event Venue for the purposes of this package, Eligible Events need to be held either on a site specifically modified for the event – that is, staging constructed specifically for the event, or at an established venue where they are not the resident production company or regularly perform at the venue.

Event Venue Maximum Capacity will be restricted to the maximum allowable patron number as approved under the relevant local government Development Application or other applicable legislative framework OR as permitted in accordance with any limits on capacity imposed by PHO(s) at the time of submitting an EOI – whichever is the lower amount.

Expression of Interest / EOI means the initial form to be completed by prospective applicants.

Long-term event means an event with a duration of five or more days.

Major Event means an event that is ticketed and with the attributes described in Table 2 (over)

⁵ Note that otherwise eligible events scheduled prior to 27 January 2022 may submit request for special consideration for Minister of the Arts approval if they are unable to demonstrate current solvency status at the time of application into the Event Saver package.

Table 2

Major Event definition		Area 1*	Area 2*	Area 3*
Event duration	Single day event **	≥ 3 hours	≥ 3 hours	≥ 3 hours
	Multi-day event	≥ 2 days	≥ 2 days	≥ 2 days
	Long-term event	≥ 5 days	≥ 5 days	≥ 5 days
Average attendees*** per day	Single day event	≥ 10,000	≥ 5,000	≥ 2,500
	Multi-day event	≥ 5,000	≥ 2,500	≥ 1,000
	Long-term event	≥ 2,500	≥ 1,000	≥ 500
Event is held as a one-off event in an Event Venue	All	Mandatory	Mandatory	Prioritised
Event Venue – additional requirement	Exhibitions	Prioritised if ≥ 14,000 sqm	n/a	n/a
Ticket sales as % of total income (higher % will be prioritised)	All	50%	50%	50%
% of spectators travelling >75 km to event	All	n/a	Prioritised if ≥ 30%	Prioritised if ≥ 70%
Local Government letter of support	All	Prioritised	Prioritised	Mandatory

* Refer to Attachment C for the Local Government Area (LGA) listing defining Areas 1, 2 & 3

** A single day event may also capture a series of events (e.g. a concert performed on three consecutive dates). For repeat performances on non-consecutive days staged at single or multiple locations, each performance would be treated as a separate event and would need to meet the criteria set out in Table 2 in each case.

*** Attendance levels will be assessed on the assumption that the event is unrestricted by Public Health Orders. If a Public Health Order restricts total attendance numbers, assessment will be based on unrestricted numbers using prior sales data, **Major Event Venue Capacity** and other such material to determine the potential unrestricted attendance level for the event.

Applicants whose events may not meet every criterion shown in Table 2 may still proceed with the Stage One EOI process. In these cases, applicants should submit information that substantiates the significant economic benefits their event generates. Final determination of the event's status will be at the sole discretion of Create NSW.

Multi-day event means an event with a duration of two or more days, up to and including a maximum of four days.

Prioritised means that if claims for Event Saver are greater than is the funding available, events meeting or exceeding these criteria will be prioritised over those who do not. The decision of which events will be prioritised will be determined by Create NSW in line with the criteria set out in Table 2.

Public Health Order means an order made under s7 of the *Public Health Act 2010* by the Minister for Health and Medical Research.

Joint organisers mean entity/s that may meet the eligibility criteria but do not hold the public liability insurance for the Eligible Event. The Eligible Applicants under this package needs to reach agreement with all possible Joint organisers on how funds will be distributed prior to submission of the EOI.

Refer to Attachment A for further information on what is required during the EOI phase when there are Joint organisers involved with an Eligible Event.

Review of Eligible Applicants may be undertaken by the NSW Government or its representative within two years of receipt of Event Saver funding. A Review may be initiated by the NSW Government if it is suspected that funds have not been claimed or paid in line with these Guidelines. Subject to the outcome of the audit or review, the Eligible Applicant may be required to repay the funds received.

Significant disruption for the purposes of these guidelines means either:

- NSW PHO(s) that restricts audience capacity to 50% of the **Event Venue Maximum Capacity**, based on NSW PHOs in place at the time that the EOI is submitted or 1 person per 4 square metres – whichever delivers the greater capacity outcome; OR
- NSW PHO(s) that result in the purpose or nature of the Major Event being irrevocably compromised. Where a claim relies on this criterion, the following additional steps will apply:
 - The claim will be assessed on a case by case basis, taking into account matters including the nature and purpose of the event and the impact of the relevant PHO;
 - The claim will require detailed substantiation of the impact on the Major Event from the applicant;
 - The claim will be subject to final approval by the Minister.

An example of a potential significant disruption under this criterion may be where singing and/or dancing is central to the nature and/or purpose of a music festival and a NSW PHO imposes a ban on singing and/or dancing that directly impacts that music festival and, as a result, irrevocably compromises the purpose and/or nature of the music festival.

Total Agreed Base Amount is the amount calculated by Create NSW during the Expression of Interest / Stage One phase of the package and provided in writing to the Applicant if successfully found to be eligible under this package. Further information on how this amount is calculated is provided in Attachment A of these Guidelines.

Accessibility

If you are an applicant with disability, and you require this information in a format which is accessible to you, or if you require this information in another language, you can contact us on the details above between 9am and 5pm Monday to Friday.

- Telephone: (02) 8289 6520
- Email: arts.funding@create.nsw.gov.au
- Or contact the Arts Funding team directly.

The National Relay service numbers are:

- TTY users: Phone 133 677 then ask for (02) 8289 6520
- Speak and Listen users: Phone 1300 555 727 then ask for (02) 8289 6520
- Internet Relay users: Connect to NES then ask for (02) 8289 6520.

What support is available to me?

Applicants are strongly encouraged to read these Guidelines.

For queries about the Guidelines, deadlines, or questions about the EOI form, please email event.saver@create.nsw.gov.au

Please note these Guidelines are current at the time of publication and may be subject to change.

Attachment A – Expression of interest (EOI) process

Go to the Create NSW website and locate the Event Saver program:
<https://artsnsw.smartygrants.com.au/>

The following material will be required when making your initial EOI:

1. Contact details and business information including ABN, address, website, email and phone number.
2. Material that demonstrates that you will be holding an Eligible Event between 15 December 2021 and 31 December 2022. For example, marketing material, ticket sales / registrations made to date, expected attendee numbers, etc.
3. Material to establish the Total Agreed Base Amount including forecast/budgeted costs of staging the event that potentially would meet the definition of Eligible Costs, comparative prior years' event costs (i.e. for the most recent events staged that were not affected by COVID-19 and/or PHOs) and any additional information such as contracts, tax invoices and other material as requested by Create NSW to substantiate your forecast/budgeted costs.
4. Copies of your COVID-19 Safety Plan and cancellation insurance and public liability insurance certificates of currency.
5. Details of your 'Plan B' or contingency plans to manage PHO-related disruptions.
6. Historical data to verify that you have the capacity to deliver an Eligible Event, for example past attendance numbers, publicity material, financial reports, etc.
7. Historical and current data to demonstrate the applicant's solvency, for example immediate past year's financial statements, current management accounts, bank statements, etc.
8. Acknowledgement that your ABN details and any funding provided under this package may be shared with other NSW Government agencies for the purpose of checking for duplicate funding applications, and that information received may be disclosed as required by law (for example, under the *Government Information (Public Access) Act 2009* or Standing Order 52).
9. Statutory declaration that all information provided by the applicant is true and complete.

Additional information for Joint organisers

The Guidelines state that only one application will be accepted for each event. If an event has Joint organisers, the applicant to the Event Saver program should be the entity holding the public liability insurance.

In these cases, the applicant should include in the EOI:

1. Details of the different entities that comprise the event organisation.
2. Confirmation that the Joint organisers have agreed on how funds will be distributed if a successful claim is made via the Event Saver program.

Attachment B – Claim submission information requirements

Step One: Post-disruption notification

1. Details of the specific PHO that has impacted your Eligible Event.
2. Indicative claim – itemised list of total Eligible Costs split between actual costs paid and contracted/committed costs that are yet to be paid, and where applicable, income earned. These costs should be itemised in the same format as the event budget submitted with the EOI.
3. Any additional information that supports the indicative claim (eg tax invoices, aged payables report, payment remittances, profit and loss account, etc).

Step Two: Detailed review of the claim

1. The information required under this step will be requested by Create NSW on a case-by-case basis, subject to the information provided with the indicative claim submitted under Step One. The level of detail required will likely correspond to the size and complexity of the claim made.
2. Material requested will be used to substantiate the claim and determine the total Eligible Costs incurred at the time of disruption. Examples of the type of material that may be requested include details of payments made, details of costs contracted/committed that remain unpaid, profit and loss account (or 'project accounts' for the event itself), balance sheet, BAS and PAYG instalments, payroll information, ticket sales reports, bank statements, contracts, etc.

Step Three: Assessment of the claim

1. As above, if additional information is required under this step it will be requested by Create NSW on a case-by-case basis.

Examples of Eligible Costs

Eligible Costs are reasonable direct and indirect costs incurred in staging an event that cannot be recovered or mitigated as a result of the event not proceeding as scheduled/planned. Each event is unique and will have a range of costs that may meet this definition. Set out below are some examples of how the definition of Eligible Cost will be applied.

Example 1: marketing costs are incurred to promote an event in advance of the event date. If the event is disrupted and cannot proceed as scheduled the money spent on advertising cannot be recovered. Even if the event is rescheduled, some additional outlay would be required to promote the new dates. While the new marketing costs are not claimable, the organiser would be allowed to claim the reasonable marketing costs that are unrecoverable.

Example 2: the event organiser pays a venue hire fee. The proposed event is disrupted and cannot proceed as scheduled; however, the venue owner agrees to roll-forward the hire fee to a new date. This cost has been mitigated and therefore is not claimable.

Example 3: the event organiser is staging a conference/exhibition. The event is disrupted and cannot have as many in-person attendees as planned. Notwithstanding the reduced number of in-person attendees, the contract with the venue does not allow for a reduction in the contracted per head costs associated with the event. If the event organiser is unable to mitigate the venue costs for the fewer number of attendees, then they would be considered an unrecoverable direct cost and can be claimed.

Example 4: the event organiser has four permanent staff dedicated to planning, promoting, and staging an annual event. If the event is cancelled or significantly disrupted by a PHO, the wages of the four permanent staff would be considered an unrecoverable indirect cost and can be claimed.

Attachment C – Eligible Event Area definitions by Local Government Area

Area 1	Area 2	Area 3	Area 3 continued
Bayside	Blue Mountains	Albury	Lake Macquarie
Blacktown	Central Coast	Armidale Regional	Leeton
Burwood	Kiama	Ballina	Lismore
Camden	Wollongong	Balranald	Lithgow
Campbelltown		Bathurst Regional	Liverpool Plains
Canada Bay		Bega Valley	Lockhart
Canterbury-Bankstown		Bellingen	Maitland
Cumberland		Berrigan	Mid-Coast
Fairfield		Bland	Mid-Western Regional
Georges River		Blayney	Moree Plains
Hawkesbury		Bogan	Murray River
Hornsby		Bourke	Murrumbidgee
Hunters Hill		Brewarrina	Muswellbrook
Inner West		Broken Hill	Nambucca Valley
Ku-ring-gai		Byron	Narrabri
Lane Cove		Cabonne	Narrandera
Liverpool		Carrathool	Narromine
Mosman		Central Darling	Newcastle
North Sydney		Cessnock	Oberon
Northern Beaches		Clarence Valley	Orange
Parramatta		Cobar	Parkes
Penrith		Coffs Harbour	Port Macquarie-Hastings
Randwick		Coolamon	Port Stephens
Ryde		Coonamble	Queanbeyan-Palerang
Shellharbour		Cootamundra-Gundagai	Richmond Valley
Strathfield		Cowra	Shoalhaven
Sutherland Shire		Dubbo Regional	Singleton
Sydney		Dungog	Snowy Monaro Regional
The Hills Shire		Edward River	Snowy Valleys
Waverley		Eurobodalla	Tamworth Regional
Willoughby		Federation	Temora
Wollondilly		Forbes	Tenterfield
Woollahra		Gilgandra	Tweed
		Glen Innes Severn	Unincorporated NSW
		Goulburn Mulwaree	Upper Hunter Shire
		Greater Hume Shire	Upper Lachlan Shire
		Griffith	Uralla
		Gunnedah	Wagga Wagga
		Gwydir	Walcha
		Hay	Walgett
		Hilltops	Warren
		Inverell	Warrumbungle Shire
		Junee	Weddin
		Kempsey	Wentworth
		Kyogle	Wingecarribee
		Lachlan	Yass Valley