



Australian Government

# National Retail Association Limited Crime Prevention Measures Project Proceeds of Crime Act 2002

Commonwealth policy entity:	Department of Home Affairs
Enquiries:	Any questions: contact us at <a href="http://business.gov.au">business.gov.au</a>
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# 1. Grant opportunity overview and objectives

The Proceeds of Crime Act 2002 (POCA) provides a scheme to trace, restrain and confiscate the proceeds of crime against Commonwealth law. The POCA also provides a scheme that allows for confiscated funds to be given back to the community in an endeavour to prevent and reduce the harmful effects of crime in Australia.

Section 298 of the POCA allows the relevant Minister (currently the Minister for Home Affairs) to approve the expenditure of money confiscated under the POCA. Grants awarded by the Minister must be for one or more of the following purposes:

- crime prevention measures
- law enforcement measures
- measures relating to treatment of drug addiction
- diversionary measures relating to illegal use of drugs.

This grant opportunity is for up to \$800,000 over 12 months to commence a targeted communication and training campaign with the objective to combat the threat of potential terror attacks in public areas.

The campaign will train retail and service sector workers on how to identify and report suspicious behaviour, raise awareness of relevant protocols during an attack, and inform retailers of how they can assist law enforcement agencies and members of the public in the event of an attack.

Historically, terror attacks and mass shootings have occurred in areas where large numbers of people gather. Prior to recent threats and attacks, staff observed suspicious behaviour but were unclear on how, or who to report such observations. During previous incidents, staff have found themselves under threat. Retailers and their employees are in a position where, with training, they will be able to assist the relevant law enforcement agencies or members of the public during such events.

Staff and business owners in areas such as shopping malls, tourist hot spots and hospitality precincts are well placed to identify the signs of a potential safety threat and to report suspicious behaviour. They can assist members of the public during attacks through their knowledge of potential evacuation points and safe spaces.

The objectives of the grant opportunity are to:

- educate retailers and their employees to identify suspicious behaviour that may lead to terrorist attacks or other threats to public safety
- improve the understanding of retailers and their employees how, when and which authority to notify, should they identify suspicious behaviour that may lead to a public security threat
- train retailers and their employees to follow relevant protocols as guided by law enforcement agencies before or during potential attacks
- build knowledge and capacity of retailers and their staff so that they may be of assistance to law enforcement officials in the event of a security threat, and

- improve communication between retailers, government and law enforcement authorities.

The expected outcomes of the grant activity are:

- increased ability of retailers and their staff to identify suspicious behaviour which may lead to a potential attack or threat to public safety
- an increase in retailers and their staff who are aware of how, when and who to notify should they observe suspicious behaviour or in the event of an attack
- an increase in retailers and their staff who are familiar with the appropriate procedure in the case of a potential or actual attack
- increased ability of retailers and their staff to be of assistance to law enforcement agencies in the area of evacuation, minimisation of panic and communication before, or during an attack
- an increase in the number of retailers and their staff who are trained to provide support and safety to citizens in the event of an attack
- increased access for citizens, to safe spaces or evacuation points, in the event of an attack, and
- safer and more secure public gathering spaces such as retail precincts.

The grant will be in accordance with the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#)<sup>1</sup>

The Department of Industry, Innovation and Science (the department/we) will deliver the grant opportunity through the Business Grants Hub, on behalf of the Department of Home Affairs.

## 2. Grant selection process

This grant opportunity is a one-off or ad hoc grant to the National Retail Association Limited (NRA). The Department of Home Affairs and the Department of Industry, Innovation and Science considers that this is an appropriate type of selection process as the nature of the granting activity is specifically dependent on the NRA's existing governance structure, ability to deliver such a program, excellent networks within the retail sector and proven track record in successfully delivering retailer-engagement services to the Commonwealth Government on security issues.

Australia's retail sector is seen as an untapped yet potentially significant body for disseminating information which can combat the threat of terrorism and other events which threaten public safety. Retailers and their employees, if appropriately trained, may assist in preventing potential attacks by supplying law enforcement authorities with valuable information, and may be of genuine assistance to members of the public and law enforcement authorities in the event of an attack. This makes the NRA, who represent a large number of retail and service sector businesses, well placed to deliver such a project.

The grant is subject to an acceptable proposal that includes:

- contact name and position details

<sup>1</sup> <https://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf>

- project description
- response to assessment criteria
- project budget (split over financial years) including in-kind contributions
- project start and end date
- milestones and timing
- key performance indicators
- consideration of monitoring and evaluation of the project
- demonstration of a partnership with an expert in the field of national security who can advise on content and appropriate processes.

## 3. Eligibility

The grantee will be the National Retail Association Limited.

### 3.1. Eligible grant activities

The grant is for the following activities:

- creating an online resource to act as a conduit of information between government and retail businesses, which will be distributed through various mechanisms including social media platforms and Google ads
- training for retailers and employees about protocols for identifying and reporting suspicious behaviour, and procedures in the event of a security threat. This may include:
  - conducting webinars
  - face-to-face meetings in New South Wales, Victoria, Western Australia and Queensland to engage with and train retailers
  - a communications campaign, including roadshows
- investigating pilot software/platforms for instantly uploading images and videos which may be of interest to law enforcement agencies.

We may also approve other activities.

### 3.2. Eligible expenditure

You can only spend grant funds on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

Eligible expenditure items are:

- direct labour costs of employees you directly employ on the core elements of the project. We consider a person an employee when you pay them a regular salary or wage, out of which you make regular tax instalment deductions.

- labour on costs and administrative overheads - you may increase eligible salary costs by an additional 30% allowance to cover on-costs such as employer paid superannuation, payroll tax, workers compensation insurance, and overheads such as office rent and the provision of computerscontract expenditure, i.e. the cost of any agreed project activities that you contract to others
- domestic travel limited to the reasonable cost of accommodation and transportation required to conduct agreed project activities in Australia
- staff training that directly supports the project outcomes
- industry, community and law enforcement agency engagement, industry conferences and regional forums or roadshows
- equipment directly related to project activities
- motor vehicle leasing, fuel and operating expenses directly related to project activities
- the cost of an independent audit of project expenditure up to a maximum of 1 per cent of total eligible project expenditure
- other eligible expenditure as approved by the program delegate.

You can only spend grant funds on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

Not all expenditure on your project may be eligible for grant funding. The Program Delegate, who is a Senior Responsible Officer within the department with responsibility for administering the grant, makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project audit activities.

You must incur the project expenditure between the project start and end date for it to be eligible, unless stated otherwise.

## 4. The assessment criteria

Your proposal must provide sufficient information to allow the following assessment criteria to be evaluated:

### **Criterion 1 - Alignment with s298 of the Proceeds of Crime Act 2002**

You should demonstrate this by explaining how your project will:

- assist in crime prevention
- assist in law enforcement
- assist in the treatment of drug addiction, and/or

- assist in the diversion of illegal use of drugs.

### **Criterion 2 - Capacity, capability and resources to deliver the project**

You should demonstrate this by identifying:

- your track record in managing similar projects, and how you will manage the project effectively
- the role and relevant experience, including in national security, of your organisation and any partners delivering the project
- a clear project plan, including milestones, project timeframes and budget
- level of involvement and endorsement of relevant law enforcement agencies and retailers, and
- how you will measure the success of your project.

### **Criterion 3 - Impact of grant funding on your project**

You should demonstrate this by explaining:

- the positive impact the grant will have on the scale or timing of your project
- how your project budget aligns with proposed project activities, and
- long-term benefits beyond the funding period.

## **5. Grant assessment and decision making**

We will assess your proposal and may seek information from you or any other source, including from within the Commonwealth to assist with assessment.

We will consider whether the project:

- represents value for money
- can be delivered on time and to budget (as identified in supporting documents)
- has been appropriately costed (the level and detail of the costing should be commensurate with the value of the project)
- can manage risks
- has required approvals in place, or expects to receive approvals in the necessary timeframe to complete the project
- can clearly demonstrate how it will measure its success

- has support of the relevant law enforcement agencies
- has partnered with an appropriately qualified and experienced expert in national security.

Following assessment we will make recommendations to the Minister. The Minister will make the final decision to approve a grant.

The Minister's decision is final in all matters, including:

- the approval of the grant
- the grant funding amount to be awarded, and
- the terms and conditions attached to the grant.

The Minister must not approve funding if they reasonably consider that program funding available across financial years will not accommodate the funding offer, and/or if the application does not represent value with money.

There is no appeal mechanism for decisions to approve or not approve a grant.

## 6. Notification of application outcomes

If successful, we will advise you of the outcome in writing, following a decision by the Minister. The advice will contain details of any specific conditions attached to the grant.

### 6.1. The grant agreement

To receive the grant you must enter into a legally binding grant agreement with the Commonwealth. We will use the Commonwealth Simple Grant Agreement. Standard terms and conditions for the grant agreement will apply and cannot be changed. We will use a schedule to outline specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

We must execute a grant agreement with you before we can make any payments. You must not start any project activities until a grant agreement is executed.

If you enter an agreement under this grant opportunity, you cannot receive other grants for the same activities from other Commonwealth, state or territory granting programs.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

You will have 30 days from the date of a written offer to execute a grant agreement with the Commonwealth ('execute' means both you and the Commonwealth have signed the agreement). During this time, we will work with you to finalise details. The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your proposal. We will review any required changes to these details to ensure they do not impact the project as approved by the program delegate.



## 6.2. Project specific legislation, policies and industry standards

You are required to be compliant with all relevant laws and regulations. In particular, you need to comply with:

- State/Territory legislation in relation to working with children or vulnerable people.

It is a condition of the grant funding that you meet these requirements and they will be set out in your grant agreement with the Commonwealth.

## 6.3. How we pay the grant

The grant agreement will state the maximum grant amount we will pay.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress of the project.

We set aside a minimum of 5 per cent of the total grant funding for the final payment. We will pay this when you submit a satisfactory end of project report demonstrating you have completed outstanding obligations for the project. We may need to adjust your progress payments to align with available program funds across financial years or to ensure we retain a minimum 5 per cent of grant funding for the final payment.

# 7. Announcement of grants

Grants awarded will be listed on the GrantConnect website within 21 days of the date of effect as required by Section 5 of the *CGRGs*.

# 8. Grant acquittal and reporting

You must submit reports in line with the grant agreement. Sample templates are provided for these reports in the grant agreement. Reports will include (but are not limited to):

- progress against agreed project milestones
- participants contributions directly related to the project, and
- eligible expenditure of grant monies.

When the project has been completed, you must provide:

- a final report to demonstrate that it has achieved all the agreed milestones, and
- an independent audit report to verify that you spent the grant in accordance with the grant agreement.

We will monitor the progress of your project by assessing these reports. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

## 8.1. Progress report

Your progress report must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date, and
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

## 8.2. Final report

When you complete the project, you must submit a final report.

Your final report must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- be submitted by the report due date, and
- be in the format provided in the grant agreement.

## 8.3. Ad-hoc report

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

## 8.4. Independent audit report

You will be required to provide an independent audit report at the end of your project. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The report template is attached to the sample grant agreement.

# 9. Grant evaluation

We will evaluate the grant to measure how well the outcomes and objectives have been achieved. You may be asked to provide additional information to assist with this evaluation.

# 10. Tax obligations

If you are registered for the Goods and Services Tax (GST), we will add GST to the grant payment where applicable and provide a recipient created tax invoice. You are required to notify us if your GST registration status changes during the project period.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on tax.

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