



Isle of Man
Government



DEPARTMENT FOR
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The Coronavirus Business Support Scheme - Business Premises Support Scheme (CBSS-BPSS) Funding round 2

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Guidance

ISSUED BY THE DEPARTMENT FOR ENTERPRISE

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Introduction and background

The Department for Enterprise's Coronavirus Business Support Scheme - Business Premises Support Scheme ("the Scheme") was established in August 2021 to provide grant assistance to support local customer facing businesses in designated sectors that have been financially affected during August 2021 due to continued COVID-19 cases in the Isle of Man. The Scheme was created to assist certain businesses and self-employed persons whose turnover has been materially impacted by 25% or more during August 2021 when compared to August 2019 or August 2020.

It is hoped that the grant provided will help those supported businesses to continue trading during the short to medium term.

The Scheme is made under the Coronavirus Business Support Scheme 2020 (CBSS).

The Scheme is made by the Department for Enterprise, with the concurrence of the Treasury, under the Financial Provisions and Currency Act 2011 (FPCA). A copy of the FPCA can be found at https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2011/2011-0021/FinancialProvisionsandCurrencyAct2011_2.pdf

The Tynwald Scheme (CBSS) can be found at

https://legislation.gov.im/cms/images/LEGISLATION/SUBORDINATE/2020/2020-0156/CoronavirusBusinessSupportScheme2020_8.pdf

The latest Treasury Notice regarding the Scheme can be found at https://www.gov.im/media/1372053/treasury-notice-gc-2021_0032-final.pdf

This guidance is issued by the Department for Enterprise in accordance with paragraph 12 of the Scheme and sets out how the support is to be administered.

Note that the Department provides other forms of grants and assistance, details of which can be found at www.iomdfenterprise.im/financial-support

For further advice and guidance regarding the Department's grants and assistance schemes and the criteria for eligibility, including for this Scheme, potential applicants are encouraged to complete the online enquiry form hosted at www.gov.im/businessenquiries

Important note - Providing false, incomplete or misleading information in connection with an application under this Scheme is an offence. The maximum penalty is a fine of level 5 on the standard scale and/or six months in custody.

Important Note - Payments made under this Scheme are treated as income for Income Tax purposes and should be included in your annual tax return as taxable income. For further details please refer to <https://www.gov.im/media/1372987/pn-216-21-taxation-of-covid-19-financial-support-published.pdf>

Disclaimer

The information contained in this document is intended to be general in scope and should not be relied upon as advice.

Any offer of a grant is also subject to availability of Department funds.

The Department may amend this guidance from time to time. While every effort has been made to ensure that the content is correct and up-to-date at the time of publication, the Department does not accept any responsibility, legal or otherwise, resulting from any errors or omissions and shall not be liable for any losses or damage that anyone may suffer as a result of relying on the information contained herein.

1. THE CORONAVIRUS BUSINESS SUPPORT SCHEME - BUSINESS PREMISES SUPPORT SCHEME - Funding round 2.

1.1 Purpose and scope

The Scheme operates in two parts. Applicants may apply either for part one or part two of the Scheme, but not both parts of the Scheme. The first part is in relation to financial support to eligible businesses based on a business' annual rates bill for one year for each of its commercial premises. As the financial assistance is targeted towards small to medium sized businesses, a maximum of 5 commercial premises can be supported for each business. The second part is in relation to a one-off payment of £1,000 to those businesses who do not have business premises or whose annual rates bill(s) is less than £1,000. Therefore the minimum payment possible to eligible applicants under this Scheme is £1,000.

Important note - If an application is approved, the payment of this grant does not represent a Rates rebate and does not remove the obligation for an applicant to pay their Rates bill(s) as usual.

Applicants are defined (and subject to other eligibility criteria) as being one of the following: -

1. Self-employed individuals;
2. Sole traders owning a business with no staff other than the owner;
3. Partnerships where both parties are the owners and have no other employees;
4. Businesses including limited companies with no staff other than the owner(s); and
5. Businesses including limited companies with staff other than the owners.

The aim of the assistance is to help sustain qualifying businesses during the ongoing difficult trading conditions with the intention that the supported businesses will hopefully continue to operate during this transitional period and into the future. It should be noted if the business closes in the short or medium term the grant may be repayable.

Important note - Applications for this payment round opened on 1st September 2021 and will close on 15th October 2021 at 5:30pm. Any issues with submitted applications must be resolved by 1st November 2021, failure to resolve issues by this date will result in the application being closed and no payment will be made.

Applicants may wish to note that free of charge support is also available through the **Business Improvement Scheme's** (BIS), Business Advisory Service. The Department provides a consultant who can offer general business advice in addition to discussing, any present issues or ideas for business change etc. The consultant will provide a short summary report. This is then followed by a shorter meeting a few months later to review progress and answer any further questions.

1.2 Overview of available support

The Scheme operates in two parts, an application can only be made for one part of the Scheme. The first part offers a single grant payment equal to the business' annual rates bill(s) or the rates contribution for each of its commercial premises for 2020/21 or 2021/22, a copy of the bill(s) must be submitted as evidence.

Important note - A maximum of 5 business (not residential) premises can be supported.

The second part offers a grant payment of £1,000 which is available to those businesses or self-employed persons who do not have premises or whose rates bill/contribution is less than £1,000.

1.3 Eligibility

a) Eligible businesses

Any business which is not in an excluded sector in 1.3c which has been financially affected (a 25% or more reduction in turnover) in August 2021 compared to August 2019 or August 2020 due to its business being affected by self-isolation requirements of staff (including the owner) or a drop in customer demand due to COVID-19. Turnover is defined as income received from customers and should not include any Coronavirus Business Support Scheme grants.

Only businesses who meet the following criteria are eligible for this Scheme: -

- businesses with or without commercial premises that carry out services that have been impacted by the business owner(s) or employees isolating or lack of customer footfall due to COVID-19.

b) Eligible sectors

The intention of the Scheme is to primarily support businesses in the following sectors: -

- Catering;
- Entertainment;
- Hospitality;
- Leisure;
- Lifestyle sectors, including but not limited to beauty, hairdressers, gyms and personal trainers;
- Retail (excluding any retailer that is liable to pay or will be liable to pay income tax at a 10% rate under the large retailers tax for the 2018/19 income tax year); and
- Service sector businesses including but not limited to:
 - Animal care;
 - Childcare;
 - Cleaning;
 - Education;
 - Healthcare;
 - Removal companies;
 - Repairs and maintenance of vehicles; and
 - Taxis and minibuses.

c) Excluded sectors

Excluded sectors are any business which falls into the below sectors:

- The Finance sector including but not restricted to;
 - Banking
 - Insurance
 - Fund industry including managers and administrators
 - Accountancy services, except for those businesses with 25 employees or less where the majority of their clients are in the Isle of Man
 - Trust and corporate service providers
 - Other financial services
- Legal services, except where at least 30% of the income of the provider of those services is derived from either or a combination of conveyancing and legal aid related work;
- IT; information technology and digital, except for those businesses with 25 employees or less where the majority of their clients are in the Isle of Man;
- E-gaming etc.;
- Construction;
- Space;
- Visitor Accommodation, other than registered permanent campsites without glamping facilities;
- Utilities (including gas and telecoms);
- Property Landlords;
- Public administration;
- Tourism & Travel;
- Any retailer that is liable to pay or will be liable to pay income tax at a 10% rate under the large retailers' tax for the 2018/19 income tax year;
- Any business that receives a significant amount of its income from Isle of Man Government in any way and including payments for underwritten events; and
- Any constituent entity of a MNE group under the Income Tax (Country-by-Country Reporting) Regulations 2017 (total consolidated group revenue of 750 million Euros or more).

Important note - For the avoidance of doubt, businesses which provide visitor accommodation and also offer those services listed in 1.3b above in a single business entity are ineligible for this Scheme and should liaise with the Visit Agency regarding the **Strategic Capacity Scheme**. In addition, businesses that operate in the Tourism and Travel sectors are ineligible for this Scheme and should enquire about the **Coronavirus Recovery Scheme** and **Coronavirus Business Support Scheme Round 6**.

Any business in the above excluded sectors that can prove to the satisfaction of the Chief Executive of the Department for Enterprise that it has been financially impacted in August 2021 compared to the same period in 2019 or 2020 may request special consideration. The business must be unable to meet its business overheads as a direct result of its business turnover being affected by self-isolation requirements of staff (including the owner) or a drop in customer demand due to COVID-19. Such a request must be made in writing stating the reasons why such

an exception should be made and provide any evidence, as requested by the Department (including turnover comparisons, usual monthly overheads, implications on staffing and/or footfall etc) to support such a request.

d) Eligibility criteria

This Scheme is only available to eligible applicants as defined in Section 1.1

Only one application and payment per self-employed individual, sole trader, partnership or limited company will be permitted.

Businesses within a group of companies, or those sharing common beneficial owners / shareholders, are eligible to apply provided each business meets the general eligibility criteria within this guidance.

Businesses with multiple commercial premises are allowed to apply for each premise on a single application for the Rates element of the Scheme, up to a maximum of 5 business (not residential) premises.

In order to qualify for the Scheme and financial assistance all applicants must:

- a) Have experienced a 25% or more reduction in turnover during the period of August 2021 compared to same period in 2019 or 2020. **Important notes** - New startup businesses which do not have comparable trading figures in 2019 or 2020 may be eligible. Similarly support may also be available for businesses which have experienced a 25% downturn in turnover during a 4 week period which overlaps July and August 2021. Businesses in these scenarios are encouraged to contact the Department prior to applying to discuss their eligibility;
- b) Confirm that the business is their primary source of income. Please refer to the below definition of primary source of income;
- c) To the best of its knowledge, intend to continue trading through the current difficult conditions into at least the short to mid-term future and that if the business closes the grant may be repayable;
- d) Not be in an excluded sector as outlined in the Guidance (1.3c);
- e) Have been in operation continuously for a period that commenced no later than 28th June 2021;
- f) Have annual profits or gains wholly or mainly from a relevant sector as set out in this Guidance;
- g) Not have any overdue payments of more than 3 months which are more than £3,000 relating to Income Tax, National Insurance and VAT. **Important note** - However, those applicants who engage with the Treasury to resolve their debts may be eligible for support. Applicants who may be in this situation are encouraged to apply and full tax/ITP/NI checks will be undertaken to determine the current status and eligibility; and
- h) Meet other Income Tax, NI and VAT compliance criteria.

Additional criteria specifically for self-employed applicants:

- i) Be a self-employed earner as defined by the Social Security Contributions and Benefits Act 1992¹;
- j) Have already notified the Treasury under regulation 87 of the Social Security (Contributions) Regulations 2001 of their liability to pay Class 2 National Insurance Contributions or notified the Assessor of Income Tax of any income from self-employment;
- k) Have been in operation, in the capacity specified in (i) continuously for a period that commenced no later than 28th June 2021; and
- l) Derive his or her primary source of income, other than income which may be received via a pension entitlement, from an eligible sector (ineligible sectors are listed in 1.3c).

Important note - With regards to all applicants including self-employed applicants, if you have been previously declined a Coronavirus Business Support Scheme application due to not meeting the Treasury's eligibility criteria, an application is encouraged to be submitted to enable the Treasury to re-assess the applicant's eligibility.

Important note - With regards to self-employed applicants, the primary source of income is defined as one of the following:

1. Only source of income; or
2. Main source of income; or
3. Income above £6,500.

Important note - Businesses who trade out of residential properties will not be eligible for the first part (rates component) of this Scheme, but may be eligible for the second part (e.g. the £1,000 payment).

¹ <http://www.tynwald.org.im/links/tls/socsec/ss/SocialSecurityContributionsandBenefitsAct1992.pdf>

1.4 Application Process

Due to the high number of potential applicants, the Department will not be able to directly contact all potentially eligible businesses. Instead, the Scheme will be marketed widely and all information freely available on the Department's Enterprise web site.

All applicants are encouraged to carefully review their eligibility status before submitting an application.

Businesses who are unsure of their eligibility, may contact the Department by telephone on 687333 or by completing the brief online enquiry form which can be found at www.gov.im/businessenquiries

All applications must be submitted via the online electronic application form which can be found at - <https://www.iomdfenterprise.im/coronavirus/extended-support>

Following receipt of a correctly completed and eligible application form, the Department will seek to process applications within approximately 5-10 working days of submission of the application. However, due to the potentially high demand levels for the Scheme and depending on the complexity of the application, the processing period may be extended.

a) Information to be supplied

All applicants must fully complete the online application form which includes;

- The applicant's details;
- Answers to all eligibility questions specifically;
 - The sector within which the applicant operates;
 - A declaration whether the business' turnover has been affected as a result of;
 - The self-isolation requirements of staff (including the owner) and/or
 - A drop in customer demand.
 - A declaration the business has been financially impacted by a 25% or more reduction in turnover in the month of August 2021 compared to the same period in 2019 or 2020;
 - New startup businesses which do not have comparable trading figures in 2019 or 2020 and businesses which have experienced a 25% downturn in turnover during a 4 week period which overlaps July and August 2021 will be required to declare their 25% downturn for the respective periods; and
 - A declaration that the "applicant" meets all of the eligibility criteria.
- **Important note** - Applicants must declare that they agree to supplying additional information to evidence the 25% downturn in turnover if requested by the Department;
- A declaration that the business is not in immediate danger of closing;
- If the business is applying for the business rates element of the Scheme, the applicant must provide the following information:
 - The details for up to a maximum permitted 5 business (not residential) premises can be add to the electronic application form;
 - The details to be supplied per premise are as follows:
 - Name or number of the property;
 - Address;
 - Postcode;
 - Purpose the building is used for;
 - Cost of Rates - Gross rates bill or contribution;
 - Name of the local authority (if applicable);
 - Landlord's name or company details (if applicable); and
 - Evidence to be attached.
 - For either 2020/21 or 2021/22, a copy of its annual Rates bill(s) or in the case of contribution to a landlord, evidence of the rates apportionment included in any such payment.
- The Department's standard declarations.

b) Assessment criteria

The Department will assess each application based on the following criteria:

- Full completion of the electronic application form; and
- Eligibility.

c) Approval process

Once the Department has determined eligibility, the Department will confirm the applicant's standing with regards to Income Tax, National Insurance and VAT with Treasury. If these checks fail, the application will be rejected by the Department and the applicant will be informed via email.

All applications for a grant must be approved by a person designated by the Department.

d) Payment

The Department will authorise the payment to be made. All payments will usually be made into the applicant's business bank account approximately 5 working days following approval. Payment runs are completed daily but these may differ depending if there are any Bank Holidays or if demand dictates.

e) Declined applications

Due to the high volume of expected applications, the Department will notify ineligible or rejected applicants via email stating the reasons for the refusal and where appropriate, provide information as to the manner in which a defective application may be rectified.

f) Review of decisions

If an applicant has been refused and wishes to request a review of the decision, the applicant must clearly and concisely state the reasons for the decline, the reasons for the review, any measures undertaken to resolve the issue and provide any additional supporting information.

The Department must appoint an officer of the Department (other than an officer involved in the original decision) to adjudicate on the review. The review officer's adjudication will be final.

The reviewing officer will then consider whether the correct decision has been made in relation to the Tynwald Scheme and the Scheme's Guidance etc and cannot take into account hardship and personal circumstances etc.

The reviewing officer does not have the authority to make exceptional one-off decisions which do not comply with the Scheme's legislative framework.

A request for a review of a decision must be made in writing within 10 working days of the date of notification of that decision.

An application may only be reviewed once.

Review requests should be either emailed to enterprisesupport@gov.im or sent to:

The CBSS-BPSS Funding Round 2 (August 2021) Scheme Manager,
Department for Enterprise,
St Georges Court,
Upper Church Street,
Douglas,
Isle of Man
IM1 1EX

1.5 Public disclosure

Applicants should also be aware that both parliamentary and freedom of information questions may be asked about particular applications or applicants. The Department will answer all parliamentary questions and freedom of information requests in accordance with the Freedom of Information Act 2015 and the Data Protection Act 2018.

1.6 Application form

Applicants should read the guidelines before submitting an application to the Department.

The Application Form is available at <https://www.iomdfenterprise.im/coronavirus/extended-support>