

COVID-19 Leave Support Scheme Application

I am applying because I have workers who have been told to self-isolate because of COVID-19 and can't work from home.

Business IRD Number	
IR Customer Name	
NZ Business Number (NZBN)	

Please enter the physical address of your business as registered with Inland Revenue.

--

Enter the name of the person who has authority to make this application (include agreeing to the declaration)

Contact name	
Contact email	
Contact mobile	
Contact other phone	

Bank Account:

Bank (2)	Branch(4)	Account (7)	Suffix (2-3)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Employees you wish to claim a subsidy for

Please enter the names and details of the employees who have been told to self-isolate because of COVID-19 and can't work from home.

Each employee you include must meet the criteria in this declaration

Include yourself if you are an employee.

Employment Type means the hours the employee typically works each week.

First Name	Last Name	Date of Birth	IRD Number	Employment Type

The above information is true and correct to the best of my knowledge. I hereby authorise TFS Financial Services Limited to submit this application on behalf of my business. I have read and understand the declaration attached.

Name	
Signature	
Date	

By applying for the subsidy, you are declaring that:

1. Your business meets the eligibility criteria to apply for the subsidy:

- You operate a business (being a registered business, sole trader, self-employed person [1], registered charity [2], incorporated society [3], non-government organisation, or post settlement governance entity) in New Zealand that employs and pays the employees named in your application; and
- Each of the employees [4] named in your application (named employee/s) is legally employed by your business and is employed in New Zealand at the date of your application.
- At the time of making your application, you are not receiving a payment under the COVID-19 Wage Subsidy 2021 Scheme, the COVID-19 Leave Support Scheme or the COVID-19 Short-term Absence Payment in respect of any of the named employees.
- You will prepare and retain evidence to support your application.

2. Your application applies to your employees who meet the following criteria

- Each of the named employees:
 - is not able to be at work and is unable to work from home; and
 - is required to self-isolate for a period of at least four consecutive days (which may include a day when the employee is not scheduled to work or is on leave in accordance with their employment agreement, or a public holiday as defined in the Holidays Act 2003); and
 - is an employee that has advised you that one of the **eligibility criteria** specified below applies to them; and
 - is not an employee who does not meet the eligibility criteria.

Employees who meet the eligibility criteria

- A named employee has advised you that they have been **advised to self-isolate** because:
 - they have COVID-19; or
 - they are a close contact of a person who has COVID-19; or
 - they are, or have household members who are, in the category of people who are most at risk of severe illness from COVID-19 (as defined in public health guidance).
- A named employee has advised you that they are the parent or caregiver of a dependant who has been **advised to self-isolate**.

Advised to self-isolate means, as the case may be, advice:

- from a medical practitioner (as defined in the Health Act 1956); or
- given through the National Investigation and Tracing Centre; or
- from a medical officer of health (as defined in the Health Act 1956) or their delegate; or

OR

- A named employee has advised you that they have been named as a person, or are the parent or caregiver of a dependent who has been named as a person, who must stay at home or in a managed isolation facility under:
 - a COVID-19 order made by the Director-General under s 10 or s 11 of the COVID-19 Public Health Response Act; or
 - a COVID-19 order made by a Minister under s 11 of the COVID-19 Public Health Response Act 2020; or
 - a direction made by a medical officer of health under s 70 of the Health Act 1956 (including where the employee has returned a negative test or is not required to get a test).

Employees who do not meet the eligibility criteria

- Each named employee is not:
 - employed as an air crew member (as defined in the COVID-19 Public Health Response (Required Testing) Order 2020) and required to comply with any orders; or
 - self-isolating, in managed isolated facilities or elsewhere, because they have returned to New Zealand from overseas; or
 - a New Zealander who is currently overseas; or

- a household member or secondary contact (as defined in public health guidelines) of a person who has been identified as a close contact of a person who has COVID-19; or
- a casual contact of a person who has COVID-19; or
- is sick with “COVID-19-like” symptoms and is staying home while waiting for a COVID-19 test result but will return to work if the test result is negative.

3. Your obligations to use the subsidy to retain and pay named employees

- You acknowledge that the granting of your application and your receipt of the subsidy does not override or alter your existing obligations under employment law, including (but not limited to) the Employment Relations Act 2000, Minimum Wage Act 1983, Holidays Act 2003 and Health and Safety at Work Act 2015.
- You will not make any changes to your obligations under any employment agreement, including to rates of pay, hours of work and leave entitlement, without the written agreement of the relevant employee [5].
- You will retain the named employees as your employees for the period you receive the subsidy in respect of those employees.
- You will not unlawfully compel or require any of the named employees to use their leave entitlements for the period you receive the subsidy in respect of those employees [6].
- You remain responsible for paying your employees' ordinary wages and salary of the named employees.
- You will for the period you receive the subsidy:
 - use your best endeavours to pay at least 80 per cent of each named employee's ordinary wages or salary; and
 - pay at least the full amount of the subsidy to the each named employee; but
 - where the ordinary wages or salary of a named employee is lawfully below the amount of the subsidy as at the date you apply for this subsidy, pay the employee that amount.
- Ordinary wages or salary means:
 - in relation to a named employee, the ordinary wages or salary as specified in the employee's employment agreement or in accordance with statutory obligations as at the date you apply for this subsidy; or
 - in relation to you if you are a sole trader or self-employed person, the weekly amount that you regularly pay yourself as at the date you apply for this subsidy.
- You will use the subsidy only for the purposes of:
 - meeting your obligations in relation to this subsidy; and
 - where any amount of the subsidy is not required for these purposes, repay any amount that cannot be used to support paying and retaining other affected staff.

4. Providing information about you, your business and your named employees to the Ministry

You will provide the Ministry of Social Development [7] with information about you, your business and (with their consent) the named employees to the extent required by the Ministry of Social Development or its auditors to make decisions about your application or other COVID-19 support (including the COVID-19 wage subsidies and the COVID-19 Short-Term Absence Payment), and to audit and review any subsidy or other COVID-19 support that is granted (to you or another applicant) and how any subsidy or other COVID-19 support granted is paid to employees.

5. Consent to the Ministry sharing information about your application with other agencies

You consent to the Ministry of Social Development sharing information about you or your business provided with respect to your application (both at the time of application, and any information provided at a later time) with other agencies (including non-government agencies) to the extent necessary to make decisions about your application or applications for other COVID-19 support, and to audit and review any subsidy that is granted (to you or another applicant) and how any subsidy or other COVID-19 support granted is paid to employees.

6. Consent to other agencies providing information about you to the Ministry

You consent to other agencies (including non-government agencies) providing information about you or your business to the Ministry of Social Development or its auditors, to the extent necessary in order for the Ministry of Social Development to make decisions about your application or applications for other COVID-19 support, and to audit and review any subsidy or other COVID-19 support that is granted (to you or another applicant) and how any subsidy or other COVID-19 support granted is paid to employees.

7. Discuss your application with your named employees and gain their consent to information sharing

- You have discussed this application with the named employees.
- You will inform the named employees of the outcome of your application and the conditions that apply to your receipt of the subsidy.
- The named employees have consented (in writing, if practicable) to the following matters:

- The named employees consent to:
 - the information about them [8] in your application being provided to the Ministry of Social Development; and
 - you providing the Ministry of Social Development with any further information about them required in order for the Ministry of Social Development to make decisions about your application or applications for other COVID-19 support, and to audit and review any subsidy or other COVID-19 support that is granted (to you or to another applicant) and how any subsidy or other COVID-19 support granted is paid to employees; and
 - you advising the Ministry of Social Development if they end their employment relationship with your business at a time when you are receiving a subsidy with respect to them.
- The named employees consent to the information about them provided to the Ministry of Social Development with respect to this application (both at the time of application, and any information provided at a later time):
 - being used by the Ministry of Social Development to make decisions about your application or applications for other COVID-19 support, and to audit and review any subsidy or other COVID-19 support that is granted (to you or to another applicant) and how any subsidy or other COVID-19 support granted is paid to employees; and
 - being shared by the Ministry of Social Development with other agencies (including non-government agencies) to the extent necessary in order for the Ministry of Social Development to make decisions about your application or applications for other COVID-19 support, and to audit and review any subsidy or other COVID-19 support that is granted (to you or to another applicant) and how any subsidy or other COVID-19 support granted is paid to employees; and
 - being used by the Ministry of Social Development to make decisions about other assistance and entitlements to the extent your application and any subsidy granted is relevant to them (for instance, where your application is relevant to an employee's application for other assistance).
- The named employees consent to other agencies (including non-government agencies) providing information about them to the Ministry of Social Development and its auditors, to the extent necessary in order for the Ministry of Social Development to make decisions about your application or applications for other COVID-19 support, and to audit and review any subsidy or other COVID-19 support that is granted (to you or to another applicant) and how any subsidy or other COVID-19 support granted is paid to employees.
- If you are a sole trader or self-employed person and this application is made with respect to yourself (that is, you meet the criteria in paragraph 1), then by submitting this form you are declaring that you consent to the matters set out in this section.

8. Consent to the Ministry using other information it holds about you or your business

You consent to the Ministry of Social Development using information about you or your business (excluding any personal information about the named employees) held by the Ministry of Social Development for other purposes (including information held about you or your business in relation to the supply of goods and services to the Ministry of Social Development, and information held about you or your business in relation to funding provided by the Ministry of Social Development to you or your business for the provision of services and social supports to communities) being used by the Ministry of Social Development and its auditors to the extent the information is relevant to the Ministry's decisions about your application or applications for other COVID-19 support, and to the review or audit of any subsidy or other COVID-19 support that is granted (to you or another applicant) and how any subsidy or other COVID-19 support granted is paid to employees.

9. Advise your named employees they can request access to information you have provided in your application under the Privacy Act 2020

You will advise the named employees that they have the right to request access to all information held about them under the Privacy Act 2020, and can visit <https://www.msd.govt.nz/about-msd-and-our-work/newsroom/2020/covid-19/covid-19-wage-subsidy-employer-search.html> to make a request.

10. Publication of information about you

You consent to the Ministry of Social Development publishing information about your business and the level and duration of any subsidy provided to you (excluding any personal information about the named employees) on a publicly accessible register.

11. Notify changes in eligibility

You will notify the Ministry of Social Development within 5 working days if anything changes that may affect your eligibility or entitlement to the subsidy, including if any of the named employees end their employment relationship with you.

12. Repaying the subsidy

You agree to repay the subsidy or any part of the subsidy paid to you if you:

- fail to meet any of the obligations about how you must use the subsidy; or
- were not or stop being eligible for the subsidy or any part of the subsidy; or
- provide false or misleading information in your application; or
- receive insurance such as business interruption insurance for any costs covered by the subsidy.

13. Provision of true and correct information

You acknowledge and agree that all of the information you have provided to the Ministry of Social Development is true and correct.

14. Consequences of non-compliance with the obligations in this declaration

You acknowledge that you may be subject to civil proceedings for the recovery of any amount you receive that you are not entitled to and/or to prosecution for offences under the Crimes Act 1961 if you:

- have provided false or misleading information; or
- fail to meet any of the obligations about how you must use the subsidy; or
- receive any subsidy or part of a subsidy that you were not entitled to receive.

15. Authority to make this declaration

You are making this declaration on behalf of your business and you have the authority to do so.

16. The Ministry may amend this declaration

You acknowledge that the Ministry of Social Development may amend this declaration at any time and at its discretion.

17. Declaration forms part of your application

You acknowledge that this declaration forms part of your application.

18. In submitting your application you also acknowledge and/or agree:

- The Ministry of Social Development collects the information in this application to determine whether you are eligible to receive assistance.
- The Ministry of Social Development will use the information provided in this application (both at the time of application, and information provided at a later time) for the purposes addressed in this document, including to assess your eligibility to receive the subsidy or other COVID-19 support and to audit and review any subsidies or other COVID-19 support granted. We may also use the information to contact you or for research and reporting purposes, or to advise you on the matters relating to the assistance you applied for.
- The Ministry of Social Development will not use the information provided in this application for any other purpose unless required or authorised by law.
- Under the Privacy Act 2020 you have the right to request access to all information held about yourself and to request corrections to that information.

[1] That may or may not employ other employees.

[2] Incorporated under the Incorporated Societies Act 1908 and registered under the Charities Act 2005; or registered under the Charities Act 2005.

[3] Incorporated under the Incorporated Societies Act 1908.

[4] "Employee" includes you if you are a sole trader or self-employed person that does not employ employees, unless the context requires otherwise.

[5] It is unlawful for you to unilaterally vary an employment agreement to reduce an employee's wages or salary in order to receive the subsidy, without the agreement of the employee. You must continue to comply with your existing obligations as an employer including under the Employment Relations Act 2000.

[6] Other than as you are lawfully permitted to do, including as provided for in an employee's employment agreement. For further information: <https://www.employment.govt.nz/leave-and-holidays/annual-holidays/taking-annual-holidays/>

[7] The "Ministry of Social Development" includes the Chief Executive of the Ministry of Social Development and their staff.

[8] For clarity, information “about employees” in these bullet points does not include identifiable information about other people (e.g. members of employees' households). The Ministry will collect, use or share information about other people only if required or authorised by law.