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INVESTMENT SUPPORT SCHEME GUIDELINES





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Translating and interpreting assistance

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1.0 Introduction

The objective of the Investment Support Scheme (ISS) is to incentivise international and interstate businesses with proven capability to invest through a transfer or expansion of operations in Queensland. Projects must be contestable which means evaluating investment sites outside of Queensland. It is also open to Queensland-based companies considering contestable reinvestment.

These contestable projects must generate economic benefits in the State's priority sectors including the creation of new operational jobs and leverage private sector investment.

Targeted investment by the Queensland Government through the ISS will focus on the following objectives:

- attract projects linked to the State's natural and competitive advantages
- leverage significant additional private sector investment
- create ongoing employment opportunities in priority sectors and related supply chains
- promote regional economic diversity and prosperity.

More details regarding the investment support scheme and why Queensland is a great place to do business can be found at www.treasury.qld.gov.au/investment.

Queensland Treasury administers both the ISS and the Strategic Investment Scheme.

2.0 Scope of the Investment Support Scheme

2.1 Eligibility

2.1.1 Eligible applicants

To apply your business must:

- be a legal entity
- have or be eligible to register for GST and an Australian Business Number (ABN)
- be able to provide evidence that supports management, technical and financial capability to undertake the proposed project.

Local governments, sole traders, not for profit organisations and Government Owned Corporations are not eligible to apply.

Entities with less than 3 years of trading may only apply if there are project partners that can provide evidence that supports management, technical and financial capability to undertake the proposed project.



2.1.2 Eligible projects

Your proposed project must be contestable. A contestable project is where there is at least one other viable, alternative international or Australian project site, aside from the Queensland location, under active consideration.

To demonstrate contestability, all applicants are to provide:

- a detailed comparison of competing locations under consideration including the advantages and disadvantages of each location
- site assessments, and the cost differential between locations where possible
- evidence of advanced discussions with other jurisdictions and/or
- information on key decision factors such as (but not limited to) return on investment, resource utilisation and brand impacts.

Your proposed project must be investment ready. Investment ready projects are advanced in the following:

- a commitment from the board or other senior levels of appropriate management to proceed further with the projects' planning and implementation
- identification and evidence of an achievable pathway to finance the proposed project in the short term.
- demonstration of commercial viability and delivery which might include feasibility studies, business plans and other project planning documents
- if successful with the application, commence operations or construction within two years of the execution of an agreement with the State (unless otherwise agreed) and
- evidence of a future commercial level of market demand to support the project and can demonstrate advanced negotiations with customers such as purchase or offtake agreements as appropriate.

Your proposed project must also:

- not have already commenced construction or operation
- demonstrate a viable plan to achieving sustainable cash flow positive status for the project and
- not create material detrimental impacts to other Queensland entities (also referred to as crowding out).

2.2 Financial assistance requests

The ISS is open to application until funds in the scheme are considered fully allocated.

Assistance offered is in the form of a financial assistance package, for example payroll tax rebates, land tax and/or transfer duty rebates.

Financial assistance and form of Queensland tax rebates will be determined on a case-by-case basis and provided for a defined term, usually five years. As a guide, payroll tax rebates may be:

- up to 50 per cent for projects based in South East Queensland¹
- up to 80 per cent for projects located outside of South East Queensland.

At any one point in time, only one application by an entity and/or its related entities will be assessed for ISS or the Strategic Investment Scheme, unless exceptional circumstances are agreed that merit otherwise.

¹ South East Queensland is defined as the City of Brisbane; City of Gold Coast; City of Moreton Bay; Ipswich City; Logan City; Noosa Shire; Redland City; Sunshine Coast Regional, Somerset Region Lockyer Valley Regional and Scenic Rim Regional.



2.2.1 Ineligible costs

Financial assistance will only be provided for project costs determined to be eligible by the State.

The following will generally be ineligible when calculating either capital or operational costs in the assessment of the project:

- contributions made 'in-kind'
- costs paid to related entities of the applicant
- any expenditure incurred prior to the project commencement date unless agreed under the future contractual conditions
- project development costs such as early-stage feasibility studies, business case development and due diligence
- proof of concept funding for start-up ventures
- any costs for items which have already, or will also receive funding from other local, state or federal government departments
- statutory fees and charges and any costs associated with obtaining regulatory and/or development approvals
- site acquisition costs such as the purchase or lease of land or existing buildings, plant and equipment (e.g., purchase cost of an existing production facility would not be attributable, but capital upgrades would be attributable)
- ongoing costs for business operations, including salaries and wages, lease and hire purchase agreements, licencing fees or banking fees.

3.0 Assessment criteria

A project must demonstrate compliance with each mandatory criterion. As demand for the ISS is likely to be high, applications that strongly align with the desirable criteria in addition to the mandatory criteria are more likely to be successful. Assessment against desirable criteria provides an opportunity to further evaluate the significance of the project to Queensland and potential impact of the government's financial contribution.

To maintain flexibility within the ISS, a project proposal may be considered if it is outside the scope of these guidelines, though is determined to be consistent with the ISS's intent and objectives. This will be at the sole discretion of the Queensland Government.



3.1 Mandatory criteria

Mandatory criteria		A strongly performing project will show how the proposed project will:
1	Contestability	Demonstrate how a government financial contribution will influence the investment location decision through providing the following: <ul style="list-style-type: none">• a detailed comparison of competing locations under consideration including the advantages and disadvantages of each location• site assessments and the cost differential between locations where possible• evidence of advanced discussions with other jurisdictions and/or• information on key decision factors such as (but not limited to) return on investment, resource utilisation and brand impacts.
2	Priority sector	Demonstrate alignment with one or more identified Queensland Government priority or emerging industry sectors or initiatives which include (but are not limited to): <ul style="list-style-type: none">• defence and aerospace; energy transformation; agricultural and food processing innovation; biomedical; manufacturing across all sectors and• national headquartering or service centre establishment in Queensland.
3	Operational	Project will commence operations or construction within two years of an Agreement with the State.
4	Employment growth and retainment	<p>New employment:</p> <ul style="list-style-type: none">• will create new direct full time equivalent (FTE) employment:<ul style="list-style-type: none">- if in South East Queensland²:<ul style="list-style-type: none">▪ reaching at least 50 new direct FTE within 5 years of Agreement being entered.- if in regional Queensland:<ul style="list-style-type: none">▪ reaching at least 20 new direct FTE within 5 years of Agreement being entered. <p>If the project will not or is unlikely to achieve these new employment thresholds within the specified period, the State may, in its discretion, still determine to assess and approve an application if the application otherwise meets mandatory criteria and demonstrates significant economic benefits (as detailed below).</p> <p>And</p> <p>Existing employment (subject to an existing presence in Queensland):</p> <ul style="list-style-type: none">• retaining existing jobs in Queensland (or subcontractors or related entities of the applicant) for a specified period (such as the term of the agreement with the State) or• provides upskilling opportunities for the applicant's Queensland based workforce.
5	Economic benefits	Meet at least one of the desirable criteria outlined below.

² South East Queensland is defined as the City of Brisbane; City of Gold Coast; City of Moreton Bay; Ipswich City; Logan City; Noosa Shire; Redland City; Sunshine Coast Regional, Somerset Region Lockyer Valley Regional and Scenic Rim Regional.



3.2 Desirable criteria

Desirable criteria		A strongly performing project will show how the proposed project will:
6	Imports replacement for security of supply and/or export growth	Grow revenue streams to the Queensland economy by the: <ul style="list-style-type: none">• Replacement of imports to Queensland, where local production is desirable, for example, on the grounds of supply security; and/or• Increase of exports (interstate and international) earnings from Queensland.
7	Third party or supply chain benefits	Maximise Queensland third party or supply chain benefits such as: <ul style="list-style-type: none">• Contracting Queensland firms for project construction; or• Increasing demand for Queensland based suppliers and service providers through the project's operational supply chains; or• Additional investment in capacity and capabilities by third parties in Queensland to supply the ongoing operations of the project; or• Development of common user or shared infrastructure outcomes for other Queensland entities; or• Increased capacity for utility service infrastructure overcoming constraints to further economic outcomes in Queensland.
8	Productivity and Skills development	<ul style="list-style-type: none">• Support adoption of improved processes and/or technologies to increase labour productivity outcomes or• Bring new high value skills to Queensland measured by salary levels or in accordance with defined areas of skill shortage or• Employ staff in identified priority groups as defined by the Queensland Government such as apprentices, trainees, youth, disability, migrants and refugees, women, mature age and Aboriginal and Torres Strait Islander peoples.
9	Innovation and technology	<ul style="list-style-type: none">• Deploy significant new technology within and assessed to be of significant benefit to the State or• Introduces a transformational change assessed to be of strategic value to an identified priority or emerging industry sector in Queensland or• Introduces a new industry capability demonstrated to be not otherwise available to Queensland.



4.0 Application process

At any stage throughout the process, you need to be aware of the following:

- these guidelines and any discussions with a Queensland Government authorised representative are for information only, and do not constitute advice
- you should seek independent advice before making an enquiry to ISS or proceeding with an application or any formal offer of assistance
- the State is not obliged to award assistance to an applicant, even if the applicant has been invited to make a Detailed Application.

The State in administering the ISS will undertake both financial and non-financial assessments of the application and the organisation(s) making the application. This includes a comprehensive risk assessment of the project, which includes, but is not limited to:

- other funds applied for from other Governments or State agencies for the same project
- previous performance against financial assistance agreements with the State
- previous performance and reputational matters in administering your business
- adverse findings identified in probity checks and due diligence undertaken by the State.

The State may engage contractors, consultants or specialist advisors to assist with the assessment of applications.

4.1 Make an enquiry

An initial enquiry form can be completed and lodged from www.treasury.qld.gov.au/investment.

Your enquiry will be assessed against the following principles:

- compliance with the eligibility requirements as set out in these guidelines
- preliminary assessment of the proposed project against the assessment criteria and objectives as set out in these guidelines.

In undertaking its assessment, the State may consider information from its own and other sources including undertaking due diligence on the entity structure and its past operations.

You may be contacted by a Queensland Government officer to clarify any information provided and/or to request further information.

Following the preliminary assessment of the enquiry, the applicant will be informed whether it will be invited to formally apply to the ISS by completing a detailed application.



4.2 Detailed application

A detailed application is made via completion of a government-issued application form. You have 60 business days to complete and submit the detailed application form or the invitation will be considered lapsed. The State may extend this timeframe at its discretion.

The detailed application requires comprehensive information, including but not limited to:

- The last 3 years of financial statements including profit and loss, balance sheet and statement of cash flows (where available) including notes to the accounts. These should be either accountant prepared, audited and certified (preferred), or accountant prepared and signed.
- Forecast projections of project employment, wages, capital and operational expenditure
- Financial modelling and budgeting to demonstrate commercial viability
- A business and/or project plan and risk register which clearly demonstrates project feasibility and delivery:
 - all regulatory requirements including land tenure, planning and environmental issues have been identified and resolution strategies are in place to the satisfaction of the State
 - suitable project management arrangements are in place for the construction and operations phases of the project
 - project risks have been identified and strategies are in place to manage these risks.
- Evidence of the business structure including governance arrangements for the project
- Identification of other sources of funding for the proposed project
- Competitor analysis
- Supply and value chain analysis
- Evidence of contestability
- Assessment of sustainability beyond the term of an Agreement.

The detailed application form must include a signed declaration from an authorised representative of the applicant.

4.3 Assessment of the detailed application

The detailed application will be assessed against the assessment criteria.

Where necessary further technical assessment by industry experts, selected by the government at its absolute discretion, may be undertaken.

The outcome of the assessment will be considered by a cross agency group responsible for making recommendations to financial delegates.

The amount of assistance made available to a successful applicant will be proportionate to the State's assessment of value for money relative to the economic benefits to the State as set out in the assessment criteria outlined above. This will consider both quantitative and qualitative information about the project.



4.4 Successful award of assistance

All successful applicants will be required to enter into an Agreement with the State, which sets out the terms upon which assistance will be provided including a schedule of agreed performance criteria and reporting requirements.

A successful applicant must meet the following obligations:

- a minimum number of new direct FTE to be created within a specific timeframe, to be verified by the State
- a minimum capital and/or project expenditure amount within a specific timeframe, to be verified by the State
- where financial assistance greater than \$2.5 million is being granted, the [Queensland Charter for Local Content](#) will apply
- provide satisfactory evidence of any binding commitments for access to land, finance and project requirements.

The State is not obligated to provide any assistance unless and until an agreement is signed by all parties.

A copy of the standard terms and conditions of an assistance agreement is available if you are invited to make a detailed application.

4.5 Communications and confidentiality

The State will maintain controls in relation to the management of confidential information provided by applicants and all internal documentation produced in relation to the administration of the ISS.

An applicant must keep confidential any dealings with the State about its application (including any enquiry or detailed application), including any financial assistance offered, but may make disclosures to advisors who are under an obligation of confidentiality or if required by law.

The State reserves the right to publicly disclose the names of applicants, general information about projects and details on the anticipated economic outcomes and benefits to the State. The State may also disclose confidential information of, or provided by, the applicant:

- if required to be disclosed by law.
- to its advisors, consultants and contractors.
- to any government agency.

The State reserves the right to be the first to announce successful outcomes. In some instances, successful recipients will be required to be involved in media events and erect signage acknowledging the government's contribution. Media enquiries or public announcements will be managed by Queensland Treasury's media team in consultation with successful recipients, and recipients must:

- seek and obtain the State's approval before making public statements, or contacting or responding to the media, regarding successful or unsuccessful applications through the ISS and
- provide any proposed media or public statement to the State for approval prior to its release as well as making any changes or amendments to the form, content or manner reasonably requested by the State.



4.6 Monitoring, evaluation and reporting

Successful applicants will be required to cooperate with an evaluation which is undertaken during and/or after completion of the project. Successful applicants will also be required to submit progress and completion reporting, assess progress of the project against milestones, outputs and outcomes and provide evidence of project completion.

After completion of the project, applicants must submit annual evaluation reports assessing the project's success in meeting its stated objectives, outputs and outcomes. Depending on the significance of the project, these evaluation reports may be required for up to three years following completion of the funded project or assistance.

Successful applicants may be required to contribute information on project outcomes, including longer-term impacts beyond project completion, for use in program evaluation reviews and marketing or media materials. It is the responsibility of successful applicants to put in place adequate collection arrangements to capture the appropriate data in relation to outputs and outcomes.

These arrangements will assist the State to undertake a robust evaluation of the ISS.

4.7 Review process and complaints

If you consider that your application has been unsuccessful due to relevant information not having been made available to or considered by Queensland Treasury, a review of the application process is available. You may request further information regarding the review process via the email address investment@treasury.qld.gov.au.

Complaints regarding the awarding of assistance under SIS, which are outside the scope of the review process, will be dealt with in accordance with Queensland Treasury's Complaints Management Framework. You can find further information at <https://www.treasury.qld.gov.au/about-treasury/complaints/>.

5.0 Glossary

Capital expenditure	The cost of acquiring certain fixed assets such as plant and equipment (unless otherwise negotiated).
Detailed application	Means an application (or a relevant part of an application) made to the Investment Support Scheme and includes a detailed application form and any supporting or additional information provided in connection with the detailed application.
Direct FTE	Number of FTE employed in operations of the project and employed by the applicant.
Enquiry	Submission of information to the ISS that informs a preliminary assessment by the State about the project.
FTE	Full-time equivalent is the number of persons employed to make up to the usual full-time working hours of one full-time worker (37.5 hours or as determined by an industry award or directive).
Region or regional	All areas of Queensland other than those defined as South East Queensland (SEQ) which is the City of Brisbane; City of Gold Coast; City of Moreton Bay; Ipswich City; Logan City; Noosa Shire; Redland City; Sunshine Coast Regional, Somerset Region, Lockyer Valley Regional and Scenic Rim Regional
State	The State of Queensland



6.0 Terms and conditions

In these terms and conditions:

- **applicant** means an applicant for assistance under the ISS
- **application** means an application (or relevant part of an application) made to the ISS and includes an enquiry, a detailed application and any other supporting or additional information in whatever form provided by the applicant to the State in connection with its enquiry or detailed application at any stage of the assessment process
- **guidelines** means a reference to these Investment Support Scheme Guidelines, as amended from time to time.

6.1 Reservation of rights

The State reserves the right to administer the ISS and conduct the process for the assessment and approval of applications in connection with the ISS in such manner as it thinks fit and to:

- change the structure, procedures, nature, scope or timing of, or alter the terms of participation in, the process or overall ISS (including timeframes and submission and compliance of applications)
- consider or accept or refuse to consider or accept any application which:
 - is lodged other than in accordance with these guidelines
 - is lodged after the relevant closing date for lodgement
 - does not contain all the information required by these guidelines or
 - is otherwise non-conforming in any respect.
- vary or amend the eligibility criteria or assessment criteria set out in these guidelines
- take into account any information from its own and other sources (including other government agencies or advisors)
- accept or reject any application, having regard to these guidelines, the eligibility criteria and the assessment criteria or any other item, matter or thing which the State considers relevant, including the limitations on the funds available for the ISS
- give preference by allocating weighting to any one or more eligibility criteria or assessment criteria over the other
- seek clarifications or additional information from, or provide clarifications or additional information to, negotiate or deal with, or seek presentations or interviews from, any applicant, without doing or requiring the same from all or any of the other applicants
- conduct due diligence investigations in respect of any applicant and subject applications to due diligence, probity, technical, financial and economic appraisals
- require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information
- terminate further participation of any applicant in the application process for the ISS
- terminate, suspend or reinstate the ISS or any process in the ISS
- not proceed with the ISS in the manner outlined in these guidelines, or at all
- allow the withdrawal or addition of any applicant after the closing date.

Where, under these guidelines, it is stated that the State may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the State may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including the applicants).

If the State does exercise any of its rights under these guidelines, the State may inform any or all applicants. The State will not, however, be under any obligation to do so.



6.2 Relationship

The State's obligations regarding the application process are limited to those expressly stated in these guidelines.

Subject to Section 6.7, no contractual or legal relationship exists between the State and an applicant in connection with the ISS, these guidelines or the application process. An applicant, or its representatives:

- has no authority or power, and must not purport to have the authority or power, to bind the State or make representations on behalf of the State
- must not hold itself out or engage in any conduct or make any representation which may suggest to any person that the applicant is for any purpose an employee, agent, partner or joint venturer with the State and
- must not represent to any person that the State is a party to the proposed project (other than as a potential funder subject to the application process and confidentiality obligations detailed in these guidelines).

6.3 Participation at applicant's cost

Each applicant participates in the ISS at its own cost and risk.

To the extent permitted by law, no applicant will have any claim of any kind whatsoever against the State (whether in contract, tort (including negligence), equity, under statute or otherwise arising from or in connection with:

- any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting its application (including any amendments, requests for further information by the State, attendance at meetings or involvement in discussions) or otherwise in connection with the ISS
- the State at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the ISS or
- any of the matters or things relevant to its application or the ISS in respect of which the applicant must satisfy itself, including under these guidelines.

Without limiting the foregoing, if the State cancels or varies the ISS at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under these guidelines, no applicant will have any claim against the State arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation (whether directly or indirectly) to the ISS.

6.4 Applicant to make own enquiries

These guidelines have been prepared to give potential applicants background information in relation to the ISS. These guidelines do not, and do not purport to, contain all of the information that applicants may require in reaching decisions in relation to whether or not to submit an application. Applicants must form their own views as to what information is relevant to such decisions and obtain their own independent legal, financial, tax and other advice in relation to information in these guidelines or otherwise made available to them during the application process.

The State accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the information supplied by it in connection with the ISS or interpretations placed on the information by applicants.



6.5 Intellectual property

Any intellectual property rights that may exist in an application will remain the property of the applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain any intellectual property rights should be clearly identified by the applicant.

The applicant grants to the State (and will ensure that relevant third parties grant) a non-exclusive, irrevocable licence to use and reproduce the intellectual property for the purpose of administering the ISS.

6.6 Privacy

In this section, **personal information** has the meaning given to that term in the *Information Privacy Act 2009* (Qld).

Personal Information provided by applicants may, in the course of and for the purposes of assessment of the application, be disclosed to the State's associates (including other government agencies), advisors, consultants, contractors, and project stakeholders. Personal Information may also be disclosed where required for purposes associated with undertaking assessment of the application, including due diligence and probity enquiries.

If any applicant collects or has access to any personal information in connection with its application or the ISS, the applicant must comply, in relation to that personal information:

- (as if it were the State) with the Information Privacy Principles in the *Information Privacy Act 2009* (Qld) and
- with all reasonable directions of the State.

6.7 Acceptance

By submitting an application, each applicant:

- warrants to the State that the information contained in its application is accurate and complete as at the date on which it is submitted and is not by omission misleading, and may be relied on by the State in determining whether or not to provide assistance to the applicant under the ISS
- undertakes to promptly advise the State if it becomes aware of any change in circumstances which causes the information contained in its application to become inaccurate or incomplete in a material respect
- acknowledges that the State will rely on the above warranty and undertaking when evaluating the application
- acknowledges that the State may elect to remove an applicant or elect not to further consider an application at any stage as a result of a material change to the information presented in an application
- acknowledges that the State may suffer loss or damage if the applicant breaches the above warranty and undertaking and
- is taken to have accepted the guidelines, including these terms and conditions, and warrants for the benefit of the State that it will not breach these guidelines or seek to bring any claim, of any kind whatsoever, against the State which is precluded by these guidelines.

