

# Omicron Hospitality Payment: Scheme Guidance

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## ABOUT THE OMICRON HOSPITALITY PAYMENT

**THE OMICRON HOSPITALITY PAYMENT CLOSED TO NEW APPLICATIONS AT 23.59PM ON FRIDAY 4 MARCH 2022. NO NEW APPLICATIONS WILL BE RECEIVED AFTER THIS DATE.**

### Eligibility Overview

The Omicron Hospitality Payment (OHP) provided financial support of over £40 million to the hospitality sector in Northern Ireland. Over 3,200 businesses were eligible for a one-off grant payment under the scheme, subject to scheme regulations.

Eligible businesses included:

- Hotels
- Restaurants licensed under Article 5(1)(e) of the Licensing (Northern Ireland) Order 1996
- Unlicensed restaurants
- Cafés
- Coffee shops
- Bistros
- Snack bars
- Public houses licensed under Article 5(1)(a) of the Licensing (Northern Ireland) Order 1996 (including nightclubs)
- Social clubs and private members clubs (excluding sporting clubhouses)
- Sports clubs which occupy and manage a licensed bar and/or licensed restaurant facility and have received less than £50,000 in total through the DfC Sports Sustainability Fund
- Soft play, trampoline parks and inflatable parks which operate a café facility as part of the same business

The Omicron Hospitality Payment will be administered in line with the following financial regulations:

- The Financial Assistance (Coronavirus: Hospitality) Regulations (Northern Ireland) 2022 No. 5: <http://www.legislation.gov.uk/id/nisr/2022/5>.

This scheme guidance document has been provided for ease of understanding, and it does not replace or supersede the regulations referenced above.

Payment levels are as follows:

- **£10,000** for businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) up to £15,000; or businesses that are the occupier of part of a property with any NAV;
- **£10,000** for sports clubs which occupy and manage a licensed bar and/or licensed restaurant facility and have received less than £50,000 in total through the DfC Sports Sustainability Fund
- **£10,000** for soft play, trampoline parks and inflatable parks which operate a café facility as part of the same business
- **£15,000** for other hospitality businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) between £15,001 and £51,000
- **£20,000** for other hospitality businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) over £51,000

You can find the NAV and full address of business properties in the Non-Domestic Valuation List which is published online by Land & Property Services. You can Search the Non-Domestic Valuation List at:

<https://valuationservices.finance-ni.gov.uk/Property/Search>.

The scheme is designed to support the occupying business in a property, not the landlord or managing agent. Applications can only be submitted by an authorised representative for the business which occupies the premises, such as the business owner, director or a senior manager. Landlords **are not permitted to** submit an application on behalf of tenant businesses who rent their premises.

If you occupy more than one eligible premises, you could apply for support in respect of each one. A separate application was required for each separate premises that you consider may be eligible for support.

There were 3 different application processes for this scheme.

- Hospitality businesses **who received LRSS payments** received an email to invite them to complete an online application for the Omicron Hospitality Payment. Find out more in this section: [APPLICATION PROCESS FOR BUSINESSES WHICH RECEIVED LRSS PAYMENTS](#)
- Hospitality businesses **who did not receive LRSS payments** needed to download an application form from the website, and submit the completed application form and any supporting documents by email. Find out more in this section: [APPLICATION PROCESS FOR BUSINESSES WHICH DID NOT RECEIVE LRSS PAYMENTS](#)

- **Certain sports clubs which occupy and manage a licensed bar and/or licensed restaurant facility** needed to download an application form from the website, and submit the completed application form and any supporting documents by email. Find out more in this section: [APPLICATION PROCESS: CERTAIN SPORTS CLUBS WHICH OCCUPY AND MANAGE A LICENSED BAR AND/OR LICENSED RESTAURANT FACILITY](#)

**The Omicron Hospitality Payment closed to new applications at 23.59pm on Friday 4 March 2022. No new applications will be accepted after this date**

## Exclusions

There were a number of exclusions that apply to the Omicron Hospitality Payment, including:

- Businesses which do not operate wholly or mainly as a hospitality business in one of the following categories: hotels, licenced restaurant, unlicensed restaurant, cafe, coffee shop, bistro, snack bar, pub (including nightclub), social club and private members club (excluding unlicensed sporting clubhouses); or soft play, inflatable parks, or trampoline parks which operate a café facility as part of the same business. Takeaways which were solely restricted by opening hours during the LRSS phases are excluded from receiving the Omicron Hospitality Payment.
- Businesses which do not occupy business premises, such as businesses or self-employed who rent space on a transient basis from the occupying business or those who operate from their homes or from a vehicle. The valuation of the property for rates purposes will be used to verify business premises.
- Applications from public sector bodies, NI Housing Executive or Housing Associations.
- Businesses which did not comply with Health Protection Regulations put in place by NI Executive.
- Businesses which received payment from the Localised Restrictions Support Payment that did not re-open and/or resume trading after hospitality businesses were allowed to reopen on 24 May; which have not remained open since; and/or which were not open and trading normally at 1 December 2021.
- Businesses which did not receive payment from the Localised Restrictions Support Scheme who were not open and trading on 1 December 2021, and/or would not have been eligible for LRSS based on their circumstances at 20 December 2021.
- Applications in respect of vacant business premises.

- If a business occupies more than 1 premises, and the premises are contiguous (meaning neighbouring or side by side), the contiguous premises will be considered as one premises for the purposes of the Omicron Hospitality Payment and only 1 payment will be issued for the contiguous premises.
- Sports clubs which do not occupy and manage the licensed bar and/or licensed restaurant facility, for example where it is run by a third party or separately constituted business.
- Sports clubs which did not receive less than £50,000 in total through the Department for Communities (DfC) Sports Sustainability Fund.

#### What if more than one business occupies the same premises?

More than one payment can be issued in relation to the same premises, however a business that is the occupier of a part of a property will receive the lower rate of payment regardless of the NAV of the property that they occupy. The size and extent of each property is linked to the NAV of the property, unless the same business occupies contiguous (meaning neighbouring or side by side) premises. Find out more in the [Support Payments section](#) and the [Net Annual Value \(NAV\) of the Property section](#).

For example, if a business rents part of a property from the main occupying business (such as a restaurant which includes a separate business operating as a snack bar), an application can be made in relation to each business that meets the eligibility criteria. To be eligible businesses must be separately demarcated within the property and each business must be separately owned. Occupying businesses who consider that they are eligible for this scheme should apply. Separate applications are required for each eligible business at the property, and must be submitted by an authorised party for each applicant business.

Please note that if this situation is relevant to your business premises, it may take slightly longer to verify your application.

Note that legislation permits that we may also use the information you provide on the application form to verify our records about the occupation of this premises for rating purposes.

#### Is eligibility for this support scheme directly linked to business rate bills?

**No, but the property valuation for rates will be used to verify the business premises.** Eligibility for the scheme is primarily based on the location of the business premises and the type of business activity undertaken at the business premises (subject to scheme regulations and exclusions).

Eligibility for the scheme is not directly linked to rate accounts, and the scheme is open to occupying hospitality businesses, whether or not they receive the business rate bill for the premises directly from Land & Property Services (LPS).

Rating information will be used to determine the following in relation to the Omicron Hospitality Payment:

- The rate account for the property will be used to verify new and updated applications, and to confirm that the premises is used for the business purpose described in the application.
  - If you do receive the rate bill for the premises directly from LPS, you will be asked to provide the rate account reference numbers from your most recent rate bill.
  - If you do not receive the business rate bill directly from LPS, you will be asked to provide a lease, or other confirmation of occupancy, such as a tenancy agreement.
- The Net Annual Value (NAV) of the property, which is one of the factors used to calculate the business rate bill, will be used to verify the business premises and to decide which level of support payment that successful applicants will receive. Find out more in the [Net Annual Value \(NAV\) of the property section](#)

Is eligibility for the Omicron Hospitality Payment linked to the criteria for the Localised Restrictions Support Scheme (LRSS)?

**Yes.** The Omicron Hospitality Payment will be paid to eligible hospitality businesses. For businesses which received support from LRSS, LRSS information held about applicant businesses will be used to identify businesses operating in the hospitality sector which operate wholly or mainly in an eligible hospitality category. LRSS information will also be used to verify business details as part of the OHP application. Businesses whose circumstances have changed since their LRSS payment **MUST** declare that they need to update their details as part of the application process.

Hospitality businesses who did not receive LRSS support could apply for the Omicron Hospitality Payment if they could demonstrate that they were open and trading on 1 December 2021 and that they would have been eligible for LRSS based on their circumstances at 20 December 2021. Applicants should note that only eligibility for the Omicron Hospitality Payment will be assessed. There is no facility to retrospectively apply for support from the Localised Restrictions Support Scheme, as LRSS has now closed.

## **APPLICATION PROCESS FOR BUSINESSES WHICH RECEIVED LRSS PAYMENTS**

I can't find the link to the online form on the website. How do I apply?

The Omicron Hospitality payment closed to new applications at 23.59pm on Friday 4 March 2022. No new applications will be received after this date.

Land & Property Services (LPS) sent an email to eligible hospitality businesses which received support from the Localised Restrictions Support Scheme (LRSS) on Wednesday 19 January 2022. Hotels which received support from the Localised Restrictions Support Scheme (LRSS) received an email on week commencing 31 January 2022. Soft play, trampoline parks and inflatable parks received an email on week commencing 7 February 2022. A number of email reminders were sent to these business before the scheme closed to new applications.

The link within this email was different for each applicant business, and was only communicated to applicants through this email. The link to the online form for hospitality businesses which received LRSS was not openly published on our website.

Hospitality businesses which did not receive LRSS payments could have applied by completing an application form and submitting the completed form and any supporting documents by email. Find out more in this section: [APPLICATION PROCESS FOR BUSINESSES WHICH DID NOT RECEIVE LRSS PAYMENTS](#)

I made an error when I submitted the online form. What should I do?

Email [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) to advise of the error that was made, including your Application Reference.

I need to update the details associated with my LRSS application before I apply for the Omicron Hospitality Payment – my address or bank details for example. What should I do?

Businesses will have the opportunity to report a change in circumstances as part of the application process, such as a change in business premises or a new bank account. In these circumstances, applicant businesses will be required to submit further information about the change and to provide supporting documentation (in some circumstances). Full details will be provided to applicants during the online application, and an email will be issued to the applicant to confirm what they need to do next.



If you have completed the online form and you indicated that you need to update your details, but you have not received the Update Details Form email which sets out what you need to do next, please check your junk mail folders in the first instance. Otherwise please contact [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk)

## **APPLICATION PROCESS FOR BUSINESSES WHICH DID NOT RECEIVE LRSS PAYMENTS**

How can I apply for the Omicron Hospitality payment if my business did not receive LRSS?

The Omicron Hospitality payment closed to new applications at 23.59pm on Friday 4 March 2022. No new applications will be received after this date.

Hospitality businesses which did not receive support from the Localised Restrictions Support Scheme who were open and trading on 1 December 2021 and would have been eligible for LRSS based on their circumstances at 20 December 2021, could have applied for the Omicron Hospitality Payment by downloading an application form and returning the completed form, and any supporting information, by email to [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk).

If my application for the Omicron Hospitality Payment is successful, will I receive backdated payments for the Localised Restrictions Support Scheme?

**No**, only eligibility for the Omicron Hospitality payment will be assessed. There is no facility to retrospectively apply for support from the Localised Restrictions Support Scheme, as LRSS has now closed.

## **APPLICATION PROCESS: CERTAIN SPORTS CLUBS WHICH OCCUPY AND MANAGE A LICENSED BAR AND/OR LICENSED RESTAURANT FACILITY**

The Omicron Hospitality payment closed to new applications at 23.59pm on Friday 4 March 2022. No new applications will be received after this date.

Sports clubs which occupy and manage a licensed bar and/or licensed restaurant facility and have received less than £50,000 in total through the DfC Sports Sustainability Fund could have applied for the Omicron Hospitality Payment by downloading an application form and returning the completed form, and any supporting information, by email to [OHPSportsClub@finance-ni.gov.uk](mailto:OHPSportsClub@finance-ni.gov.uk).

## SUPPORT PAYMENTS

I have already applied. When will I be paid?

Be assured that we are processing your application as quickly as possible. Your patience is appreciated.

For hospitality businesses which received LRSS payments, if there has been no change in circumstances, the payment should be with the business within 7 to 10 working days of their application, depending on how long the payment takes to clear through the banking system. If a business' circumstances have changed, LPS will need to carry out some further validation checks and gather some additional information, which will require additional time to process.

For new applications from businesses which did not receive support from LRSS, applications will be assessed and payments made as soon as possible where eligibility has been clearly demonstrated. In cases where eligibility is less clear, and it is necessary to carry out further verification checks, you may be contacted for more information. Please check your email account regularly (including the junk folder) and respond quickly to requests for further information.

If your application is successful, you will receive an email confirming that payment has been issued.

Please note that payments may not show in your bank account until 7-10 working days after you receive the remittance email.

My application was successful. I received a remittance advice email but the payment is not in the account, what should I do?

**Please wait 7-10 working days.** If you received a remittance advice but have not received a payment, check the bank account which is referenced in the remittance email. If you do not receive a payment into that account within 7-10 working days of receiving your remittance email, please email [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) for investigation.

How much can I expect to receive if my application is successful?

There are three levels of support available to eligible businesses whose application is successful. The level of support that successful applicants will receive is based on the Net Annual Value (NAV) of the property from which the business operates:

- **£10,000** for businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) up to £15,000; businesses that are the occupier of part of a property with any NAV;

- **£10,000** for sports clubs which occupy and manage a licensed bar and/or licensed restaurant facility and have received less than £50,000 in total through the DfC Sports Sustainability Fund
- **£10,000** for soft play, inflatable parks and trampoline parks who operate a café facility as part of the same business
- **£15,000** for other hospitality businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) between £15,001 and £51,000
- **£20,000** for other hospitality businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) over £51,000

You can find the NAV of business properties in the Non-Domestic Valuation List which is published online by Land & Property Services. You can search the Non-Domestic Valuation List at <https://valuationservices.finance-ni.gov.uk/Property/Search>

I received my payment, but it does not reflect the payment amount that I think I am entitled to under the scheme. What should I do?

The level of support that successful applicants will receive is based on the Net Annual Value (NAV) of the property from which the business operates:

- **£10,000** for businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) up to £15,000; businesses that are the occupier of part of a property with any NAV;
- **£10,000** for sports clubs which occupy and manage a licensed bar and/or licensed restaurant facility and have received less than £50,000 in total through the DfC Sports Sustainability Fund
- **£10,000** for soft play, inflatable parks and trampoline parks who operate a café facility as part of the same business
- **£15,000** for other hospitality businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) between £15,001 and £51,000
- **£20,000** for other hospitality businesses that are the primary occupant operating from a property with a Net Annual Value (NAV) over £51,000

You can find the NAV of business properties in the Non-Domestic Valuation List which is published online by Land & Property Services. You can search the Non-Domestic Valuation List at <https://valuationservices.finance-ni.gov.uk/Property/Search>

You can use this information to understand the NAV of your business premises and the payment amount that your business is eligible to receive. There are 2 main reasons why your payment may be lower than you expected:

- If the NAV of the premises that you occupy indicates that the applicant business should have received a payment of £15,000 or £20,000 but you received a payment of £10,000, this could be because the applicant business was considered to be the **occupier of part of the premises** and not the primary occupant. Or it could be that the payment was for a sports club which occupies and manages a licensed bar and/or licensed restaurant facility; or soft play, inflatable parks and trampoline parks who operate a café facility as part of the same business. Payments to eligible sports clubs, soft play, inflatable parks and trampoline parks are a maximum of £10,000.
- If you receive an amount other than £10,000, £15,000 or £20,000, this will be because part of your payment has been offset against an LRSS overpayment for the applicant business (meaning that the LRSS overpayment will be considered to be part of your OHP payment). When making the application, applicants were advised that if the applicant business received LRSS payments contrary to the LRSS regulations and this overpayment has not yet been repaid, all or part of the Omicron Hospitality Payment will be offset against the LRSS overpayment should this application be successful.

After reviewing the payment amounts and the circumstances above, if you still consider that you have not received the right payment amount, email [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) for next steps.

Can I receive my payment by cheque?

**No.** To avoid unnecessary social contact, payments are being made directly into bank accounts. Issuing payment by cheque would require successful applicants to go to banks to make lodgements, and slows down the payment process for everyone.

Cheques will not be issued unless absolutely necessary. To request a support payment by cheque, contact [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) for consideration, quoting the reference number associated with your application.

I am behind in rates payments. Will any outstanding rates be deducted from my support payment?

**No.** Outstanding rates will not be deducted from the support payment.

What if my landlord has applied for, or received, the Omicron Hospitality Payment but I believe that my business is the party who is eligible to receive it?

**Let us know.** If you believe that a payment has been issued to a person or business that is not eligible to receive it, you should email details to [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) so that this can be investigated. If your business did not receive any payments through the Localised Restrictions Support Scheme, you can submit an application by email. See details on how to apply at: <https://www.nibusinessinfo.co.uk/omicron-hospitality>

I am a landlord and I know that this scheme is aimed at the occupying business. The occupying business is behind in their rent payments. Can I apply for support in these circumstances, or can the occupying business be required to use the support payment to pay for rent arrears?

**No.** This scheme is for occupying hospitality businesses. The scheme is designed to support the occupying business, not the landlord or managing agent.

Rent payments are a matter for the landlord and tenant, and such matters are not dealt with through the Omicron Hospitality Payment.

I received The Omicron Hospitality Payment but I received too much / shouldn't have received it. How do I return the funds?

You can return the funds by bank transfer to the **Department of Finance** using the following payment details:

**Account Name:** Department of Finance

**Sort Code:** 950121

**Account Number:** 61063871

**Description:** Refund 8000xxxxx

The number to be included in the description/text field is the document number which can be found on the remittance advice you will have received. Your business name should appear automatically in the sender field.

Alternatively you can return the payment by cheque, which should be made payable to **Department of Finance** and posted to the address below along with a copy of your remittance advice and your contact details:

**Account NI**

**Cash Office – Floor 3**

**Goodwood House**

**44-58 May Street**

**Belfast BT1 4NN**

If you would like confirmation that the returned funds have been received by the Department of Finance, you can email [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) after you have sent the payment using the details above.

## **APPLICATION UPDATES**

Can I speak to someone to get an update on my application?

**No.** To ensure that all our resources are focused on processing your application, updated information about the scheme will only be available at [www.nibusinessinfo.co.uk/omicron-hospitality-payment](http://www.nibusinessinfo.co.uk/omicron-hospitality-payment)

Be assured that we are processing your application as quickly as possible. Your patience is appreciated.

All applicants will receive an outcome email confirming whether their application has been successful, as soon as our checks are complete.

Urgent queries about your application can be sent to [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk) and a member of our team will respond. Please ensure that you quote your Application Reference in any correspondence about your application.

Where can I find my OHP Application Reference?

Your OHP Application Reference is shown in the confirmation email sent to you. The confirmation email will have the subject line **'Omicron Hospitality Payment Acknowledgement'**.

## THE NET ANNUAL VALUE (NAV) OF THE PROPERTY

What is the Net Annual Value of the property and how does it affect my application?

The level of payment issued to successful applicants will be based on the NAV as published in the Non-Domestic Valuation List, unless the application is from a sports club; or a soft play, trampoline park or inflatable park which operates a café facility as part of the same business.

The Net Annual Value (NAV) is one of the factors used to calculate business rate bills. You can find the NAV of business properties in the Non-Domestic Valuation List which is published online by Land & Property Services. You can search the Non-Domestic Valuation List at <https://valuationservices.finance-ni.gov.uk/Property/Search>

Each property within the Valuation List has a unique Property ID and a Net Annual Value. The size and extent of each property is based on information held in the Valuation List in relation to each unique Property ID. In simple terms, the size and extent of the property is reflected in the current rate bill – one rate bill for each property. Note that the property can be made up of a number of different buildings or units. Eligible businesses that jointly occupy a property will receive the lower rate payment regardless of the NAV of the property they occupy.

If a business occupies more than 1 premises, and the premises are contiguous (meaning neighbouring or side by side), the contiguous premises will be considered as one premises for the purposes of the Omicron Hospitality Payment and only 1 support payment will be issued for the contiguous premises.

You cannot ask to have a property split into separate units, or 2 properties joined into one larger property, for the purposes of changing the level of payment that you might receive through this support scheme.

If my business is eligible for the support payment but I am waiting for the outcome of a valuation review which may impact on the NAV of my property, will this change the level of support payment I receive?

**No.** Because this scheme is a short term support measure, the level of payment issued to successful applicants is based on the NAV as currently published in the Non-Domestic Valuation List (unless it is a sports club; or soft play, trampoline park or inflatable park which operates a café facility as part of the same business). Subsequent changes to the NAV of a property won't affect the level of payment that successful applicants will receive.

There is no facility to request a review of the NAV, for the purposes of changing the level of financial support you will receive through this scheme.

## IMPORTANT INFORMATION

### Data Protection and Privacy Policy

The information provided by applicants will be used by Land & Property Services to process your application and to update rate account details if circumstances have changed. Information held by Land & Property Services for rating or valuation purposes, or held in respect of the business or property to which an application relates by district councils, may be obtained and processed in respect of the assessment of an application. Occasionally this information may be passed to other organisations but only when we are required by law to do so or when the disclosure complies with the General Data Protection Regulation 2016 and/or the Data Protection Act 2018. For more information please go to: <https://www.finance-ni.gov.uk/publications/lps-privacy-notice>

### Application Declaration

All applications will be processed in line with the regulations associated with this scheme. All applicants must complete a declaration as part of their application. The declaration varies according to the nature of the application, but a summary of the declaration is provided below. Note that these terms may be updated as the scheme progresses.

1. I understand that if any of the information provided on this application is found to be fraudulent or false, repayment of all funding will be required. Fraudulent claims may be subject to legal action.
2. I confirm that I am submitting this application as an authorised representative for the applicant business/sports club which occupies the premises associated with this application, such as the business owner, director, senior manager, sports club chairman or club treasurer. I am not the landlord or managing agent for this premises.
3. *For hospitality businesses:* I confirm that the details about the applicant business that were displayed during the online application are correct (Trading Name, Business Address and Occupancy Status). I confirm that the applicant business is wholly or mainly a hospitality business in one of the following categories: hotel, licenced restaurant, unlicensed restaurant, cafe, coffee shop, bistro, snack bar, pub (including nightclub), social club and private members club (excluding sporting clubhouses); or a soft play, trampoline park or inflatable park which operates a café facility as part of the same business. It is not a sporting clubhouse or a takeaway which was solely restricted by opening hours during the LRSS phases.



*For sports clubs:* I confirm that the applicant business is a sports club which occupies and manages a licensed bar and/or licensed restaurant facility. The licensed bar and/or licensed restaurant is occupied and controlled by the sports club, and is not owned or leased by a third party or separately constituted business. The applicant sports club has received less than £50,000 in total through the DfC Sports Sustainability Fund.

4. *For Businesses which received LRSS:* I confirm that the applicant business re-opened and/or resumed normal trading after hospitality businesses were allowed to reopen on 24 May 2021; that the business has remained open since and that the business was still open and trading normally at 1 December 2021.

*For Businesses which did not receive LRSS:* I confirm that the applicant business/sports club was open and trading as a hospitality business/licensed bar and/or licensed restaurant facility at the premises associated with this application on 1 December 2021, and was still trading under the same circumstances at 20 December 2021. The applicant business occupies these business premises as a sole or part occupier, and it is not a business or self-employed individual which rents space on a transient basis or operates from their home or from a vehicle.

5. I confirm that the applicant business has complied with all Health Protection Regulations which have been put in place by NI Executive.

6. I understand that if the applicant business received Localised Restriction Support Scheme (LRSS) payments contrary to the LRSS regulations and the overpayment has not yet been repaid, all or part of the Omicron Hospitality Payment will be offset against the LRSS overpayment should this application be successful.

7. I confirm that the information I have provided in this form is accurate and complete.

8. I understand that Land & Property Services may seek more information from the applicant business or other sources to verify this application.

9. I understand that Land & Property Services or an agent acting on behalf of Land & Property Services may carry out an inspection of the business premises to substantiate this application. If the property is found not to be as described in the application, the application will be rejected and repayment of funding will be required.

10. Any payment made which is found to have been paid contrary to the Regulations associated with this scheme shall be recoverable by Land & Property Services. If payments made contrary to the Regulations are not recovered, information about these payments may be published in the public interest.

11. I understand that the information I provide will be processed by Land & Property Services for the purposes of assessing this application and to update rate account details if circumstances have changed. I also understand that information held by Land & Property Services for rating or valuation purposes, or held in respect of the business or property to which an application relates by district councils, may be obtained and processed in respect of the assessment of an application. Land & Property Services may share information in relation to eligibility for this scheme with another Northern Ireland government department. Occasionally this information may be passed to other organisations but only when we are required by law to do so or when the disclosure complies with the General Data Protection Regulation 2016 and/or the Data Protection Act 2018. More information is available at: <https://www.finance-ni.gov.uk/publications/lps-privacy-notice>

12. I understand that the information provided on this form may be used for the purpose of the prevention and detection of crime.

13. I understand that the Omicron Hospitality Payment is considered income which must be declared to HMRC as part of the tax return for the business.

14. I understand that the Omicron Hospitality Payment is considered income which must be declared by the applicant business when applying for other government funds or grants for organisations and businesses affected by COVID-19.

15. I confirm that if the Omicron Hospitality Payment constitutes State Aid, I will comply with subsidy control arrangements.

Subsidy control arrangements:

*The Department is processing this grant within the context of both 3.1 of the Temporary Framework, in respect of Manufacturing related to trade in EU, (as applied for NI measures falling within NI protocol permitting subsidy of up to EUR 1.8M per undertaking), and 3.2.3 of The Trade and Cooperation Agreement (TCA) signed between UK and EU signed on 30 December 2020. Links to both documents are provided below:-*

[https://ec.europa.eu/competition/state\\_aid/what\\_is\\_new/TF\\_informal\\_consolidated\\_version\\_as\\_amended\\_28\\_january\\_2021\\_en.pdf](https://ec.europa.eu/competition/state_aid/what_is_new/TF_informal_consolidated_version_as_amended_28_january_2021_en.pdf)

[https://ec.europa.eu/info/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement\\_en](https://ec.europa.eu/info/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement_en)

*Notwithstanding any other provision of this grant and the legislative framework for the grant scheme, if required as a result of external subsidy controls (including Withdrawal Agreement Protocol on Ireland/Northern Ireland, UK-EU Trade and Cooperation Agreement) the Department may at any time withhold payment of and/or require repayment of any or all of any assistance deemed to be a subsidy, from the date on which the assistance was awarded and the Company shall on demand by the Department repay to the Department such assistance (and interest that may be imposed by the subsidy control regime) in a reasonable amount of time.*

#### Reporting Fraudulent Payments

If you have any concerns about fraudulent payments relating to this Scheme you should send these to the Department of Finance by email to [OHP@finance-ni.gov.uk](mailto:OHP@finance-ni.gov.uk)

You can view the Department of Finance Fraud Policy and Fraud Response Plan through the link below:

<https://www.finance-ni.gov.uk/publications/dof-anti-fraud-policy-and-response-plan>

#### Does payment under this scheme constitute State aid?

The Department is processing this grant within the context of both 3.1 of the Temporary Framework, in respect of Manufacturing related to trade in EU, (as applied for NI measures falling within NI protocol permitting subsidy of up to EUR 1.8M per undertaking), and 3.2.3 of the TCA signed between UK and EU signed on 30 December 2020. Links to both documents are provided below:-

- [https://ec.europa.eu/competition/state\\_aid/what\\_is\\_new/TF\\_informal\\_consolidated\\_version\\_as\\_amended\\_28\\_january\\_2021\\_en.pdf](https://ec.europa.eu/competition/state_aid/what_is_new/TF_informal_consolidated_version_as_amended_28_january_2021_en.pdf)
- [https://ec.europa.eu/info/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement\\_en](https://ec.europa.eu/info/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement_en)

Notwithstanding any other provision of this grant and the legislative framework for the grant scheme, if required as a result of external subsidy controls (including Withdrawal Agreement Protocol on Ireland/Northern Ireland, UK-EU Trade and Cooperation Agreement) the Department may at any time withhold payment of and/or require repayment of any or all of any assistance deemed to be a subsidy, from

the date on which the assistance was awarded and the Company shall on demand by the Department repay to the Department such assistance (and interest that may be imposed by the subsidy control regime) in a reasonable amount of time.

#### Impact on funding through the Covid Recovery Programme for Organisations

If you are a culture, languages, arts, heritage, sport, charities or social enterprise organisation and you apply for the Covid Recovery Programme for Organisations (<https://www.communities-ni.gov.uk/publications/covid-recovery-programme-organisations>), you must advise the Department for Communities (DfC) of any applications you have made or intend to make to other government funds, including the Omicron Hospitality Payment. Any payments (including offset payments) will be taken into account in assessing entitlement to the Covid Recovery Programme for Organisations.

If you have not yet lodged your application for the Covid Recovery Programme for Organisations, and you are eligible for the Omicron Hospitality Payment, you should include the Omicron Hospitality Payment in your Covid Recovery Programme for Organisations financial projections.

If you have already lodged your application for the Covid Recovery Programme for Organisations, you must inform the appropriate DfC appointed delivery organisation about the Omicron Hospitality Payment.

DfC and the Department of Finance will carry out data matching to avoid any double funding.