



JobKeeper nomination notice for self-employed and eligible businesses – excluding sole traders

When to use the form

Use this form to record that you have agreed to be nominated to receive JobKeeper payments through an eligible business if you are either:

- a partner in a partnership
- an adult beneficiary of a trust
- a shareholder in, or director of a company.

Complete **Section A, B, C (if applicable), D and E** of this form and return this form to your partnership, trust or company as soon as possible.

Do not use this form if you are a sole trader – you will need to make this nomination in ATO online services or the Business Portal, or your registered tax or BAS agent can do this on your behalf in Online services for agents. If you cannot nominate electronically you can call **13 28 66**.

Your eligible business can only nominate to receive JobKeeper payments for you with your agreement. This form allows you to record that you have provided that agreement. You must also specify that you are not employed by another employer (other than as a casual), that you meet all the eligibility requirements for nomination and have not given a nomination notice to another business, employer, religious institution or the Commissioner.

You do not need to send this form to the ATO. You will, however, need to give the form back to the eligible business. The eligible business will need to keep the completed version for their records (generally for five years) to document that you have agreed to be nominated by the business to receive JobKeeper payments for you.

Taxation law authorises the ATO to collect information and to disclose it to other government agencies. For information about your privacy, go to ato.gov.au/privacy.

Important:

- If you have not returned a completed form to your eligible business, it **cannot** receive JobKeeper payments for you. You should complete this form as soon as possible to ensure the business is eligible to receive JobKeeper payments for you.

- Only one business, employer or religious institution can receive the JobKeeper payment for you. If you work in multiple businesses or also work as a religious practitioner, you need to choose one business/religious institution that will receive the JobKeeper payment. If you are employed by another employer (other than as a casual), you cannot receive JobKeeper payments through a business, but you may be an eligible employee for that employer to receive JobKeeper payments for you.
- If you have already agreed for another business, employer or religious institution to receive JobKeeper payments for you, you should not complete this form.
- An eligible business can only nominate one participant (who is not an employee) to receive JobKeeper payments for.
- If the business has eligible employees, it may also be eligible to receive JobKeeper payments for them. The business can use the *JobKeeper employee nomination notice* to ask employees if they agree to be nominated by the business as their primary employer so that it can receive JobKeeper payments for them.
- If you are 16 or 17 years old and you previously lodged a form with your eligible business – that form is no longer valid for JobKeeper fortnights commencing on or after 11 May 2020. You need to lodge a new form if you continue to be eligible, including completing Section C.

What is the JobKeeper payment?

Under the JobKeeper payment, businesses impacted by the Coronavirus (COVID-19) are able to access a subsidy from the government to continue paying their employees. Affected employers, businesses and religious institutions are able to claim a fortnightly payment of \$1,500 per eligible employee, per eligible religious practitioner, or for one eligible business participant from 30 March 2020, for a maximum period of six months.

 **Find out more:**
ato.gov.au/jobkeeper

Section A: Business Details

1 Entity name

2 Business name

3 Australian business number (ABN)

Section B: Participant Details

1 Full name

Title: Mr Mrs Miss Ms Other

Family name

First given name

Other given name

DD/MM/YYYY

2 Date of birth

3 Address

Street address

Suburb/town/locality

State/territory

Postcode

4 Phone

5 Email

Section C: Additional requirements for 16 or 17 year olds

There have been changes to the eligibility requirements that could affect you if you were in this age group on 1 March 2020. The effect of these changes means that eligibility is different for JobKeeper fortnights which begin before and on/after 11 May 2020. On or after 11 May 2020, there are additional requirements that must be met. For:

- the first three JobKeeper fortnights (up to and including 10 May 2020) – complete Part A only
- later JobKeeper fortnights (on/after 11 May 2020) – complete Part B only.

Both Part A and B might be relevant to you, if so please complete both.

Part A

On 1 March 2020 were you at least 16 years of age?

Yes **No**

If you answered YES, you satisfy this part of the eligibility requirement for the first three JobKeeper fortnights (up to and including 10 May 2020). You also need to satisfy additional eligibility requirements outlined in Section D below.

If you answered NO, you are not eligible for JobKeeper payments.

Part B

On 1 March 2020 were you at least 16 years of age and were you either:

- 'independent' within the meaning of the *Social Security Act 1991* or
- not a 'full time student' within the meaning of the *Social Security Act 1991*?

Yes **No**

If you answered YES, you satisfy this part of the eligibility requirement for JobKeeper fortnights on or after 11 May 2020. You also need to satisfy additional eligibility requirements outlined in section D below.

If you answered NO, you are not eligible for JobKeeper payments.

You are **independent** (and will satisfy this part of the eligibility requirements) if you meet the definition in the *Social Security Act 1991*. Generally this will be the case if you:

- have supported yourself through work with long term full or part-time employment broadly for a two year period
- are, or have been, married or are in a registered relationship
- live in a de facto relationship as a member of a couple for at least 12 months
- have, or have had, a dependent child
- are a job seeker assessed as unable to work over 30 hours a week
- are unable to live at home due to extreme circumstances

- have parents that are unable to support you
- are a refugee and your parents do not live in Australia
- are an orphan and have not been legally adopted
- are in state care, including foster care

Further guidance on this can be found on the Services Australia website at servicessaustralia.gov.au/individuals

You are a **full time student** (and **not** eligible for JobKeeper, unless you are also independent) if you were studying full time as defined in the *Social Security Act 1991*. Full-time study is defined in broad terms to mean enrolled in and undertaking study in a course of study at an educational institution of at least 75 per cent of the normal full-time study requirements.

Further guidance on this can be found on the Services Australia website at servicessaustralia.gov.au/individuals

Section D: Nomination

Business participant eligibility requirements

To be an eligible business participant, you need to meet these requirements:

- At 1 March 2020, and for the fortnight, you were actively engaged in the business carried on by the entity named in Section A, but not as an employee.
- At 1 March 2020, and for the fortnight, you were either:
 - a sole trader (do not use this form – as above, you should nominate electronically)
 - a partner in the partnership
 - an adult beneficiary of the trust
 - a shareholder in, or director of, the company that carries on the business of the entity named in Section A.
- You are not currently employed by another entity (other than on a casual basis).
- At 1 March 2020 you were either:
 - residing in Australia and an Australian citizen or permanent resident or
 - an Australian resident for income tax purposes and a Subclass 444 (Special Category) visa holder.
- You have not given a notice either to any other entity to be nominated as an eligible employee, or to be nominated as a religious practitioner, or to the Commissioner or other entity to be nominated as an eligible business participant for another business.
- You are not currently receiving parental leave pay, or dad and partner pay.
- You are not currently totally incapacitated for work and receiving payments under an Australian workers' compensation law in respect of your total incapacity to work.
- At 1 March 2020 you were either:
 - aged 18 years or over
 - aged 16 or 17 years and answered 'Yes' at Section C.

For business participants aged 16 and 17 years (only one of the following 3 boxes should be ticked)

Yes, I have ticked YES to Part A of Section C and I agree to be nominated by the eligible business entity outlined in Section A for the purpose of the JobKeeper scheme.

*This will apply for JobKeeper fortnights up to and including 10 May 2020.

Yes, I have ticked YES to Part B of Section C and I agree to be nominated by the eligible business entity outlined in Section A for the purpose of the JobKeeper scheme.

*This will apply for JobKeeper fortnights on/after 11 May 2020.

Yes, I have ticked YES to Part A and Part B of Section C and I agree to be nominated by the eligible business entity outlined in Section A for the purpose of the JobKeeper scheme.

*This will apply for JobKeeper fortnights up to and including 10 May 2020, AND fortnights on/after 11 May 2020.

In making this nomination I:

- (i) agree that I meet the eligibility requirements listed above, and
- (ii) confirm that I have not agreed to be nominated by any other employer, business or religious institution, and have not given another entity, or the Commissioner a nomination form for the purpose of this scheme.

For business participants aged 18 years and over

Yes, I agree to be nominated by the eligible business entity outlined in Section A for the purpose of the JobKeeper scheme.

In making this nomination I:


- (i) agree that I meet the eligibility requirements listed above, and
- (ii) confirm that I have not agreed to be nominated by any other employer, business or religious institution, and have not given another entity, or the Commissioner a nomination form for the purpose of this scheme.

Section E: **Declaration**

I declare that the information I have provided is true and correct.

Signature (electronic/email is OK)

Date
DD/MM/YYYY

 There are penalties for deliberately making a false or misleading statement.