

FAQ's for the Ireland Based Inbound Agents Business Continuity Scheme.

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Q1. What is the Scheme?

Fáilte Ireland (National Tourism Development Authority) have developed, and will be implementing, an Ireland Based Inbound Agents Business Continuity Scheme to assist Republic of Ireland based Inbound Tour Operators, Golf Tour Operators, Destination Management Companies (DMCs) and Professional Conference Organisers (PCOs) who package, sell and market Ireland's tourism product overseas and have suffered significant losses as a result of COVID-19.

A total of circa €10m current funding, subject to funding availability, has been allocated for the Scheme using funds made available for that purpose by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media with the consent of both the Minister for Tourism and the Minister for Public Expenditure and Reform.

Pre COVID-19, these businesses would have derived a substantial level of income from the provision of group and Free Independent Tourist (FIT) business within Ireland from overseas.

The overall purpose of the Scheme is to help these strategic businesses to withstand the impact of COVID-19 by providing a direct financial contribution to support them to continue operating through 2021.

Q2. Who Can Apply?

The Scheme is open to applicants meeting the below criteria, and it is important that all applicants check the definition and eligibility criteria before applying. Eligibility does not mean an entitlement to funding, which is at the sole discretion of Fáilte Ireland, rather it means eligibility to make an application for grant funding.

Where you are part of a group structure, then you may apply for each eligible business in the group.

The applicant must be an Eligible Irish Based Inbound Agent, i.e.:

Operate as Republic of Ireland based inbound tour operator, DMC or PCO who package, sell, and market Ireland's tourism product overseas; and Be a member of, or meets the criteria to become a member of, any of the following – as defined in either Appendix I or Appendix II:

- i. The Incoming Tour Operator Association (ITOA).
- ii. Association of Irish Professional Conference Organisers (AIPCO) – full or associate membership.
- iii. Irish Golf Tour Operator Association (IGTOA).
- iv. Fáilte Ireland approved Destination Management Company (DMC).
- v. Fáilte Ireland approved Professional Conference Organiser (PCO); or
- vi. The applicant has participated, in a minimum of two international sales platforms in the last two years (2018 and 2019) via the Fáilte Ireland portal.

To note; there is no obligation on the Applicant to become a member of any of the associations listed above, nor does simply meeting the criteria guarantee membership or approval.

Q3. Who should I contact for general queries on this scheme?

Please direct all queries to the Fáilte Ireland Commercial Development Team by emailing Commercial.Development@failteireland.ie

Q4. Why is this scheme open only to Ireland Based Inbound Agents?

In the recent budget, the Minister announced a suite of support measures for tourism including a support fund for strategic tourism businesses.

Irish based Inbound Agents are the very top of Ireland's tourism supply chain. They are responsible for generating revenue of over half a billion Euro annually, of which 80% is distributed onwards to hotels, venues, restaurants, pubs, attractions, and transport providers. This revenue supports over 20,000 jobs and contributes €250m annually to the exchequer.

As a sector, they have received no income since March 2020, with most reporting an overall 95% reduction in revenue this year.

Their survival is essential to the recovery of Ireland's tourism industry. With on average, 3,200 staff days on the road presenting Ireland to prospective clients, they act as an enormous Ireland sales team. Through this activity, they have developed a pipeline of almost €5m worth of future business for Ireland. This pipeline will play a vital role in Ireland's reboot.

Q5. What if I am not a member of one of the Qualifying Ireland Based Associations nor an approved Fáilte Ireland DMC or PCO?

If the applicant participated in a minimum of two international sales platforms in the last two years (2018 and 2019) via the Fáilte Ireland portal, they will be considered eligible for application. They will need to indicate what international sales platforms they attended.

Alternatively, the applicant will have the opportunity to describe how they feel they meet the criteria within the application form. There may be additional information requested for validation. A separate application process is required for an applicant to become a member of any of the above representative bodies and to achieve Fáilte Ireland approval. Guidelines and applications for membership are available from the Associations.

Q6. What are the Membership Criteria for ITOA, AIPCO and IGTOA

Please refer to Irish Incoming Tour Operators Association (ITOA) or <https://itoe-ireland.com/> for their Membership Criteria.

Please refer to Association of Professional Conference Organisers or <https://aipco.ie/new/> for their Membership Criteria.

Please refer to Irish Golf Tour Operators Association (IGTOA) or <https://igtoa.com/> for their Membership Criteria.

Q7. What are Fáilte Ireland's Criteria for Ultra-Lux Destination Management Company, Destination Management Companies & Professional Conference Organisers

Please refer to the Guidelines for this scheme for a full breakdown of the membership criteria for the above-mentioned groups. To become Fáilte Ireland approved, you will need to complete a separate application process.

Q8. What businesses do not qualify to apply for the grant?

The following entities are deemed ineligible and therefore excluded from applying for this Scheme:

- Those that do not meet the eligibility criteria as defined above under Eligible Applicants
- Online Travel Agents
- Retail Travel Agent
- Online Resellers
- Domestic/National event planners (those organising events in Ireland for Ireland based attendees)
- Accommodation Marketing Groups
- PR & Communications Companies
- Venue Finding Agencies
- Production Companies
- Exhibition Companies
- Concerts, Festivals, Sporting or Cultural Event organisers
- Individual service providers/suppliers to Incoming Tour Operators, DMCs or PCOs including but not limited to: day tours/excursions, ticketing providers, team building providers, accommodation providers, venues, universities, Catering companies, Florists, entertainment providers, AV companies, transport companies, visitor attractions.

Decisions taken by Fáilte Ireland on eligibility are full and final and not open to appeal.

Q9. How will funding be determined?

A grant will only be available to those who meet all Eligibility Criteria ("**Eligible Applicants**").

The maximum grant allocated to each Eligible Applicant is restricted to the lower of:

1. The applicant's funding allocation based on the calculation outlined in the example below.
2. €800,000 less State Aid received by the applicant to date in respect of Covid-19, in accordance with State Aid rules.
3. Lost revenue from Qualifying Inbound Tour Business for 2020 as compared with the average of 2017-2019.
4. The applicant's average continuing costs over 2017, 2018 and 2019, attributable to the Eligible Inbound business, excluding payroll costs.

For example, if an applicant (i) had received no State Aid under the Temporary Framework, (ii) had lost revenue of €300k in 2020, and (iii) had non-payroll overhead costs of €200k (average over 2017, 2018 and 2019), the maximum grant it would be entitled to would be restricted to €200k, being the lower amount.

The initial grant per Eligible Applicant will be determined on a pro-rata allocation to circa €10m. The allocation will be based on the Eligible Applicants' average 2017–2019 inbound tourism revenue as a % of the average 2017- 2019 inbound tourism revenue of all eligible scheme applicants.

Q10. How do I apply?

- Only eligible applicants will qualify to apply for this Scheme.
- All applicants will be required to have a profile on Fáilte Ireland's 'Trade Portal' which is accessible on www.failteireland.ie. If you do not already have an account, you will be required to create one.
- Those that already have a Trade Portal account, the application form can also be found under 'Available Funding'.
- The Guidelines, Terms and Conditions and Application Form will be available on www.failteireland.ie
- Applicants should note that granting access to the application form does not confirm final eligibility on an applicant. Depending on the information provided in the application form, an applicant may still be deemed ineligible for funding later in the process.

Q11. What are Eligible costs?

All continuing costs, fixed and variable less payroll.

Any costs that have been renegotiated downwards such as a reduction in rent, reduced sales and marketing costs, reduced travel costs etc are not included as they are not 'continuing' costs.

Fixed costs refer to long-term tangible assets that are used in the operations of a business. This type of asset provides long-term financial gain, has a useful life of more than one year, and is classified as property, plant, and equipment on the balance sheet. Fixed cost = Mortgage/Rent for your premises.

Variable costs are costs that change as the quantity of the good or service that a business produces changes. Variable costs are the sum of marginal costs over all units produced. Variable cost = Electricity bill.

Q12. Should my revenue and costs that I provide be inclusive or exclusive of VAT?

Your turnover revenue and costs should be Net of VAT/exclusive of VAT.

Q13. What Documentation/Information will be required in support of my application?

- Proof of address (recent utility bill or similar)
- Tax Reference Number (TRN)

- Annual Audited Financial Statements (AFS) for the last 3 years (2017–2019). Where financial accounts are not required to be audited, please provide a copy of the unaudited Financial Statements, and an independent auditors letter setting out your revenue and costs for the past 3 years for your business (or the last 2 years if your business was only established 2 years prior to 31st December 2019).
- If the inbound revenue and costs are not shown separately in the AFS then you will need to provide a separate breakdown.
- 2019 Tax return (Corporation/Partnership/Individual).
- If eligible revenue in excess of €1m, an independent Accountant/Auditor letter of confirmation is required.
- 2020 Management accounts as at date of application.
- A copy of your bank statement header to verify details for payment. This information will only be used in verifying the payment details so that we can process the payment without unnecessary delay. It will only be retained for successful applicants.
- Under State Aid rules, large and medium-sized enterprises more than 3 years in business cannot have been an undertaking in difficulty ON OR BEFORE 31 December 2019. If your business is a large or medium sized enterprise over 3 years in business and was not an undertaking in difficulty as defined above, an uploaded letter of either (i) an independent Accountant's verifying that this is the case or (ii) an Audit Letter/Report (dated 2019 or 2020 signed by your Accountants for your most recently prepared year-end Financial Statements is required.
- The value of State Aid received by the applicant to date, under the Covid-19 EU State Aid Temporary Framework for State Aid measures to support the economy in the current Covid-19 pandemic.
- Details of financial supports received from public sources from 2017- 2019 if applicable (eg, Government of Ireland, Fáilte Ireland, Tourism Ireland, Tourism Northern Ireland, Local Authorities, Enterprise Ireland, IDA, Bord Bia, etc).

Q14. What if I cannot get all the documentation required together within the allocated time?

There is three weeks allocated to complete this application process, you can save your application as you progress through the various steps in order to acquire your documentation, but please note once you press submit there is no returning to the application. The scheme closes on Tuesday, 8th December at noon. No further applications will be accepted after that date.

Q15. What document qualifies for a proof of address?

A recent utility bill qualifies as proof of address.

Q16. How will the grant be paid?

The grant will be paid by electronic transfer to the business account detailed on the application form. A copy of your Bank Statement Header is required to verify details for payment.

Q17. What is the closing date for applications to the Fund?

All completed applications for the Scheme must be submitted to Fáilte Ireland by 12 noon on Tuesday, 8th December 2020. Early application is advisable due to the expected volume of applications and evaluation process required.

Q18. How long will it take to receive payment?

No funding will be advanced under the Scheme in advance of the closing date for application. It is important that the full population of applications are assessed before the Scheme funding is allocated and paid out to ensure that total grants awarded are within the maximum Scheme cap. Fáilte Ireland will use best endeavours to make payment by the end of January 2021, however is subject to receipt of comprehensive applications and support documentation.

Q19. What is the Applicant Data Form and where can I download it?

The Applicant Data form is an excel document that must be completed fully and attached to your application within the Fáilte Ireland trade portal. The Applicant Data form can be downloaded from the Fáilte Ireland website under the 'How to Apply' section within the scheme.

Q20. What if I cannot see the grant scheme listed on the funding section of my portal?

If you received the initial correspondence announcing the Ireland Based Inbound Agent scheme from Fáilte Ireland please ensure that someone else in your organisation hasn't opened the application form. If they have, then it will not appear on your portal page, as only one application form can be open at a time from a registered account on the Fáilte Ireland Trade Portal.

If you were made aware of the scheme but did not receive the initial email, please email commercial.development@failteireland.ie who will arrange the relevant access for you.

Q21. When submitting your inbound business, is it for the calendar year or the financial year?

Please submit your inbound business generated for each calendar year (2017, 2018, 2019).

Q22. When required to declare State Aid received to date, does this include TWSS or EWSS assistance?

No you do not need to declare any TWSS or EWSS assistance in your application.

Q23. What are the Terms and Conditions of Grant Funding?

Terms & Conditions

The awards of any grants under the Scheme are subject to the following Terms and Conditions. It shall be a condition of the award of any grant to a business that the applicant agrees to the Terms and Conditions when completing the grant application form.

Terms & Conditions of Grant funding

- All applications for funding under the Scheme will be reviewed and assessed by Fáilte Ireland to ensure eligibility.
- All funding approved under the scheme is subject to audit.
- Fáilte Ireland may make any enquiries that it considers necessary to establish the applicant's eligibility for funding under the Scheme, and Fáilte Ireland's decisions in relation to applicant eligibility and the disbursement of monies are at the absolute discretion of Fáilte Ireland and are final.
- Any monies granted by Fáilte Ireland under the Scheme will be used solely by eligible beneficiaries in accordance with the purposes of and objective of the Scheme i.e. to support the continuity of its inbound FIT or Group business to Ireland from overseas.
- The submission of an application should not be construed as granting any rights or expectations of funding to the applicant.
- In accepting any offer of monies under the Scheme, the following warranties and undertakings are made by the applicant to Fáilte Ireland:
 - That any information supplied by the applicant as part of its application under the Scheme is up-to-date and accurate, and the applicant will inform Fáilte Ireland immediately if this ceases to be the case. Evidence to this effect must be maintained to substantiate this if audited.
 - That all acts, conditions and things required to be done and performed and to have happened before the applicant's acceptance of the terms and conditions of the Scheme have been done and performed and have happened in due and strict compliance with Irish law.
- No funding will be granted by Fáilte Ireland unless and until an application has been completed to Fáilte Ireland's satisfaction, the applicant has accepted these Terms and Conditions. A Letter of Offer will be issued to the Applicant confirming the offer, prior to payment being issued.
- That even in circumstances where the applicant has initially been approved to receive a grant, Fáilte Ireland retains an overall discretion and reserves its right to refuse to grant funding on reasonable grounds. For example, this reasonable refusal may be made on the basis that the applicant is an "undertaking in difficulty" for the purposes of EU State aid law, subject to an insolvency procedure in the Republic of Ireland, otherwise based on the financial prospects of the applicant business, there is a change in the EU Temporary Framework under which the Scheme is approved or on the basis that sufficient Exchequer Funding is no longer available.
- Fáilte Ireland is entitled to vary the terms and conditions applicable to the Scheme, in respect of applications that have not yet accepted the Terms and Conditions, without prejudice to its rights and any other requirements or criteria.

- The applicant shall ensure that operation of the incoming tour operator is fully and properly documented and that adequate records are kept and maintained in order to demonstrate and verify that the grant funding is used solely and exclusively by the applicant in the operation of the business which has applied for the grant. In this regard all reports, records, accounts and other documentation of the applicant relating to the operation of each Eligible Ireland Based Inbound business and/or the use by the applicant of the grant shall be maintained and made available for inspection by Fáilte Ireland on request, for whatsoever reason. In no circumstances shall any financial documentation be destroyed or otherwise disposed of without the prior written consent of Fáilte Ireland.
- Fáilte Ireland may at its discretion impose monitoring and reporting obligations on the applicant and the applicant will provide Fáilte Ireland with documentation and assistance in any audit of records. The applicant agrees that Fáilte Ireland may carry out inspections of applicant's records and measures taken by the applicants to ensure compliance with the Scheme.
- That the applicant will comply with EU State aid rules and agree to repay any grant monies required to be repaid to Fáilte Ireland or otherwise where the business or the project is no longer State aid compliant.
- In the case of medium and large applicants, that the applicant business was not undertaking in difficulty, solvent and is able to pay its debts as they fall due as of 31 December 2019.
- In the case of small and micro applicants who were already in difficulty as of 31 December 2019, they must not be subject to collective insolvency procedure under Irish law, meaning:
 - No receiver or receiver and manager has been appointed over all or any of the assets of the company.
 - No petition seeking the winding up of the company has been presented.
 - No order has been made winding up the company on any grounds.
 - No resolution has been passed by the members to wind up the company on an insolvent basis.
 - No petition seeking the appointment of an examiner to the company has been presented.
 - No statutory demand has issued against the company pursuant to section 570 of the Companies Act 2014; and
 - No informal or formal compromise or scheme of arrangement has been entered into with any creditors of the company.
- If the applicant is in breach of the terms and conditions of the Scheme, or has provided any false or inaccurate information as part of the application process, it will be required to pay back the grant with interest and any applicable recovery costs, in accordance with State Aid rules.
- Fáilte Ireland may conduct an assessment into non-compliance by an applicant with these terms and conditions of the Scheme and reserves the right to review and revoke the grant, including where it receives corroborated third-party complaints.
- The timing of grant payments under the Scheme is subject to Fáilte Ireland being in receipt of sufficient funding from the Irish State to meet those payments. In the event of any unavailability or delay, there will be no liability on the part of Fáilte Ireland or the Irish State to make good any loss or damage suffered, or shortfall experienced by applicants.
- That the applicant is and will continue to be at all times fully compliant with all relevant legal obligations where applicable including, but not limited to, any in regard to employment,

planning, the environment, taxation, child protection, equality of opportunity, the nine grounds of discrimination under the Equal Status Act 2000, local authority and industry requirements and any other requirements under Irish or EU law.

- All public bodies, including Fáilte Ireland, who are distributing Public Funding, are obliged to comply with the requirements of the Public Spending Code to ensure best value is achieved from state resources. Fáilte Ireland and applicants under this Scheme are also subject to the rules of the Department of Public Expenditure and Reform Circular 13/2014 – Management of and Accountability for Grants from Exchequer Funds. Successful applicants will be required to comply with the highest standard of transparency and accountability as set out therein. For more information see www.circulars.gov.ie/pdf/circular/per/2014/13.pdf.
- Applicants are responsible for satisfying themselves that the aid being granted to them is being lawfully granted and to ensure adherence with State aid rules. If an applicant provides false information and this is found to be the case, this will result in the aid being recovered by Fáilte Ireland (with interest) on the grounds that this is illegal aid. Applicants are encouraged to carefully review, consider and adhere to these terms and conditions, together with the eligibility criteria of the Scheme for the purposes of State Aid compliance. Applicants should exercise particular care where they are in receipt of other State Funding and seek professional advice where appropriate.
- At any time up to 31 December 2030, the applicant may be asked to make all books and records relating to the available to authorised Fáilte Ireland personnel and, upon the giving of seven days' notice, to any accountant, auditor, or other consultant appointed or designated by Fáilte Ireland or the European Commission.
- The applicant will provide all necessary cooperation and will comply with all directions, if any, which may be given by Fáilte Ireland or the Commission on foot of any resultant reports prepared by any such internal or external parties including any requirement that the grant be repaid.
- Fáilte Ireland may carry out an impact analysis of the Scheme to include a review of the impact of the Funding. If selected to participate, the applicant must comply with, and facilitate, all research that is undertaken as part of this review.
- To facilitate the efficient monitoring of and compliance for the Scheme the applicant agrees to facilitate any staff member or representative of Fáilte Ireland or the European Commission.
- Where the applicant fails to comply with any of the Guidelines, Terms and Conditions contained in this document or information supplied is found to be incorrect Fáilte Ireland may, at its sole discretion:
 - require specific performance of the conditions of the Scheme and/or require immediate repayment of the Grant, or any part of the Grant already paid, to Fáilte Ireland from the applicant and/or be under no obligation to pay the Grant or any part thereof to the applicant.

Freedom of Information

Fáilte Ireland may be required to disclose, in connection with the Scheme, (a) any information supplied by the applicant to Fáilte Ireland and (b) any relevant data accumulated by Fáilte Ireland in administering the Scheme, except where the information is commercially sensitive. Fáilte Ireland will contact the applicant in this regard in advance; however, Fáilte Ireland may still decide to release this information if required by law.

Data Protection

Both the applicant and Fáilte Ireland shall have regard to their statutory obligations under the GDPR (2016/679) and the Data Protection Acts 1988 to 2018. In this regard, in so far as the applicant processes personal data for the purpose of this application it shall comply with its obligations as a "data controller" under the GDPR. Please read Fáilte Ireland's Privacy Policy for details [HERE](#).

By applying, the applicant confirms its acceptance of the terms of the Fáilte Ireland Privacy Policy.

Personal data supplied to Fáilte Ireland in relation to the Scheme and the applicant may be processed by Fáilte Ireland for the purposes of the administration of the Scheme.

Applicants consent to Fáilte Ireland sharing information provided in the Application form or pursuant to the Scheme with Government Departments and/or Government Agencies, in the event that information is required from those organisations to ensure compliance with State Aid and national legislation requirements.

EU State Aid

Fáilte Ireland is the grant aiding Authority for the Scheme. The legal basis of the Scheme is the National Tourism Development Authority Act, 2003. Grants are provided in accordance with the criteria set out above, subject to EU State Aid law.

Aid being provided towards this Scheme is subject to the provisions of the European Commission's State Aid Temporary Framework as adopted on 19 March 2020 (C (2020) 1863) and incorporating its four amendments – C (2020) 2215 of 3 April 2020, C (2020) 3156 of 8 May 2020, C (2020) 4509 of 29 June 2020 and C (2020) 7127 of 13 October 2020 – for measures to support the economy in the current COVID-19 outbreak.

Public Procurement

All projects in receipt of public funding are required to follow EU and national public procurement rules and procedures, where applicable. In response to the need for urgent and immediate actions to contain and control COVID-19, the Office of Government Procurement (OGP) published a guidance document on 22 March 2020: ["Information Note – Covid-19 \(Coronavirus\) and Public Procurement"](#) to assist in supporting contracting authorities. The Information Note draws attention to the provisions within legislation to allow contracting authorities use a negotiated procedure without prior publication (advertisement) and thus enable the continuation of much needed service at time of extreme urgency such as those brought about by COVID-19. Applicants are required to declare in the application form that they have endeavoured to ensure value for money, and that they have reviewed the OGP Information Note and are satisfied that the expenditure incurred and included in their application has been procured in line with same.