

PRESS RELEASE

No: 287/2020

Date: 17th April 2020

HMGOG announces release of BEAT COVID-19 Regulations

HMGoG is very pleased to announce that it has published the Appropriation (Business Employee Assistance Terms COVID-19) Regulations 2020. These regulations, informally known as the BEAT COVID-19 Regulations, set out the regulatory framework for the application, payment and management of the BEAT COVID-19 measure first announced by the Chief Minister in his emergency budget address of 20 March 2020.

These regulations have been developed over the past weeks in close consultation with the Official Opposition and the Covid 19 Economic Liason and Advisory Committee. It is through this consultation that HMGoG has cast the nature of the benefits to be paid and, subsequently, widening of the Relevant Sectors for the purposes of these regulations. This will allow security and cleaning related businesses, courier and freight businesses, estate agents, bureau de change and wholesalers who do not have a tobacco licence to also apply for BEAT for employees that are inactive for a whole calendar month.

The regulations have been developed organically alongside the bespoke online application system built from scratch. This has ensured that the regulations and the system that will process applications have been fine-tuned in tandem, thereby optimising HMGoG's ability to process BEAT payments in the tight timeframe required.

The regulations have also taken on board a multitude of wide-ranging issues that were flagged by applicants to the BEAT COVID-19 mailbox, leveraging on the experience gained by HMGoG in responding to over 770 queries. This has also clarified key issues within the regulations that were important to the very people that the regulations are designed to support.

The speed with which the Government has been able to deliver this measure is testament to HMGoG's agility to develop and execute a complex measure of this measure.

The measure will also be a selling point for Gibraltar; evidencing the value that Government attributes to its businesses and employees. And one that would be considered favourably by new businesses and workers alike that may consider relocating to Gibraltar once the pandemic is over.

Employers, employees and self-employed persons are encouraged to familiarise themselves with these regulations, particularly as they may be placed under a legal obligation to apply for BEAT



COVID-19 for an inactive employee or to notify the Director of Employment if they become active after having received a BEAT COVID-19 payment.

The regulations contain detailed provisions relating to the rights and obligations of employers, employees and self-employed persons. Detailed regulations also set out the circumstances that trigger a notification to the Director of Employment and exclude a person from the BEAT measure.

Appeals can also be made in defined circumstances, for example, where an employer fails to make an application for an inactive employee. The appeal mechanism is designed to be quick and serve the purpose of making a BEAT COVID-19 payment where it was due.

There are serious consequences for any person who fails to comply with the regulations. These range from civil debts amounting to a total of three times any payments received plus a repayment of the amount received, to statutory maximum fines and imprisonment. Various other regulations include naming and shaming and the sharing of data. HMGOG has announced that it will not tolerate any abuse in connection with these measures and these tools are structured to empower HMGOG to clamp down on any abuse.

HMGoG has updated its guidelines to guide users through these complex but necessary regulations. The updated guidelines are available on HMGoG's BEAT COVID-19 webpage. Any business or employee with any specific BEAT queries can email infobeatcovid@gibraltar.gov.gi for guidance. This mailbox is staffed by a dedicated team drawn from the Income Tax Office, Department of Employment, Government Law Offices and the Office of the Financial Secretary.

Chief Minister, Fabian Picardo QC MP, said:

"We have made magnificent progress since announcing the support that we would provide to our economy only a few weeks ago. This has given businesses much-needed certainty so they can support their employees and protect business during this challenging time.

We have also listened to the concerns of some of those excluded sector businesses and brought them in to the relevant sector category for the purposes of these new regulations only. So that they too can receive the support that they need.

This is a national effort between the Government, CELAC and the Opposition and we will continue to work with the businesses to ensure that we do not throw away an opportunity that will be so expensively bought.

I would like to take the opportunity to thank the teams that have brought this measure to fruition, and give the expecting BEAT recipients the assurance that we will process these applications and associated payment as soon as we possibly can."

Minster for Digital and Financial Services, Albert Isola MP, said:

"These regulations provide an important lifeline that will mean that many businesses survive. The COVID-19 pandemic represents a challenge to businesses unlike any other they have faced before. Government is determined to support these businesses through this difficult time.



The hard work that has gone into the system that has been developed to process applications under these regulations is the main tool that will allow business to access support that protects the livelihoods of their staff.

Having overseen the development of the system, I would like to thank the teams who have worked tirelessly and relentlessly behind the scenes over the last few weeks to get the system over the line.”

Minister for Tourism, Transport and Business, Vijay Daryanani MP, said:

“It seems like an eternity since this pandemic got underway. In that time we have made tremendous strides, not just in our health response, but also in our support for business. We anticipate economic damage, not just in Gibraltar but globally. Just because economic damage is inevitable does not mean that we should not strain every sinew to reduce it. That reduction cannot be done by Government alone. We need our economy to bounce back as hard and as high as it can. These regulations are key to the support that Government has given the employers and employees that make up our tiger-like economy.”

Links

Appropriation (Business Employee Assistance Terms COVID-19) Regulations 2020 (<https://www.gibraltarlaws.gov.gi/legislations/appropriation-business-employee-assistance-terms-covid-19-regulations-2020-5339>)

New Guidelines: <https://www.gibraltar.gov.gi/beatcovid19> [to be uploaded 20/04/2020]