

# The Victorian Government's Commercial Tenancy Relief Scheme

**Table 4. Alternative tests**

Alternative test	When does the regulation apply?	Comparison turnover
<p><b>Business acquisition or disposal that changed the tenant's comparison turnover</b> (Regulation 17)</p>	<p>If the tenant's comparison turnover changed because there was an acquisition or disposal of part of a tenant's business on or after the start of the relevant comparison period and before the applicable turnover test period</p>	<p>The turnover from the month immediately after the month in which the acquisition or disposal occurred, multiplied by 3</p> <p>If there is no whole month after the acquisition or disposal and before the applicable turnover test period, then the month immediately before the applicable turnover test period should be used</p>
<p><b>Business restructure that changed the tenant's comparison turnover</b> (Regulation 18)</p>	<p>If the tenant's turnover changed because there was a restructure of a tenant's business on or after the start of the relevant comparison period and before the applicable turnover test period</p>	<p>The turnover from the month immediately after the month in which a restructure occurred, multiplied by 3</p>
<p><b>Tenant has substantial increase in turnover</b> (Regulation 19)</p>	<p>If a tenant had an increase in the tenant's turnover of:</p> <ul style="list-style-type: none"> <li>• 50 per cent or more in the 12 months immediately before the applicable turnover test period or</li> <li>• 25 per cent or more in the 6 months immediately before the applicable turnover test period or</li> <li>• 12.5 per cent or more in the 3 months immediately before the applicable turnover test period</li> </ul>	<p>The turnover in the 3 months immediately before the applicable turnover test period</p>
<p><b>Business affected by drought or natural disaster</b> (Regulation 20)</p>	<p>If a tenant's turnover changed because they conducted business or some of the business in a declared drought zone or a declared natural disaster zone during the relevant comparison period</p>	<p>The turnover for the same period in the year immediately before the declaration of the drought zone or natural disaster zone</p>
<p><b>Business has irregular turnover</b></p>	<p>If for the consecutive 3 month periods within the 12 months immediately before the applicable turnover test period, the lowest of a tenant's turnover for any of those 3 month periods is no</p>	<p>The turnover for each whole month in the 12 months immediately before the applicable turnover test period</p>

(Regulation 21)	more than 50 per cent of the highest of the tenant's turnover for any other of those 3 month periods and the tenant's turnover is not cyclical	divided by that number of whole months, multiplied by 3
<b>Sole trader or small partnership with sickness, injury or leave</b> (Regulation 22)	If a tenant is a sole trader or small partnership that has no employees and the sole trader or at least one of the partners did not work for all or part of the relevant comparison period due to sickness, injury or leave and the tenant's turnover was affected by the sole trader or partner not working for all or part of that period	The turnover from the month immediately before the month in which the sole trader or partner did not work due to sickness, injury or leave, multiplied by 3
<b>Tenant temporarily ceased trading during the relevant comparison period</b> (Regulation 23)	If a tenant's business had temporarily ceased trading due to an event or circumstances outside the ordinary course of the tenant's business and trading temporarily ceased for a week or more, and some or all of the relevant comparison period occurred during the time in which the tenant's business had temporarily ceased trading, and the tenant's business resumed trading before 28 July 2021	Calculated by using, at the tenant's choosing, one of the following formulas: <ul style="list-style-type: none"> <li>• Adding the turnover in the 3 months immediately before the month in which the business temporarily ceased trading or</li> <li>• Using the turnover for the same period in the year immediately before the business temporarily ceased trading</li> </ul>